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PONDY PAPERS IN SOCIAL SCIENCES

TO GIVE OR NOT TO GIVE...

From brideprice to dowry
in Maharashtra (Pune District)

Véronique BÉNÉÏ

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INTRODUCTION*

Since the beginning of this century the dowry issue has been ceaselessly debated by Indian legislators and intellectuals. But they have normally approached it from only one angle: as a payment divorced from any ritual or religious context, which gives rise to many abuses and atrocities, and is commonly practised in every part of the country. This view has been widely disseminated by the English-language Press, which regularly reports "dowry cases" and/or "dowry deaths". But there have been very few case-studies, either of the changeover from brideprice to the practice of dowry, or of the social image the latter has amongst ordinary people. Officials, such as social workers, police and lawyers, have some idea about this second point, which makes it possible to compare the theoretical statements of reformers with the factual reality in a specific social area.

In Maharashtra, the gift made amongst all non-Brahmin Hindu castes up to the 1960s and 70s was called *dyāj* — usually translated as "brideprice". Formerly gifted by the groom's family to the bride's, *dyāj* has today been replaced by a form of *hundā* or dowry, given by the bride's family to the groom's. How did this change come about? In what way does it correspond to the ideological values of Indian

* This article is based on a thesis entitled "La dot dans l'Inde aujourd'hui: un "problème" de société? Une étude de cas au Maharashtra" (Dowry in India today: a social "problem"? A case-study in Maharashtra) submitted to the Ecole des Hautes Etudes en Sciences Sociales, Paris. The field materials were collected in the course of two visits, from January 1990 to March 1991, and from January to October 1992. I am grateful to Drs Marie-Louise Reiniche (Ecole Pratique des Hautes Etudes V, Paris) and Jackie Assayag (Institut Français de Pondichéry) for their patient remarks and constructive criticisms on respectively the first and second drafts of this paper. I also wish to express my gratitude to the staff of the Institute and particularly Sattia Vingadassamy and Anna Vaity for re-sketching the tables and figures, and to René Anandam for redrawing the map.

society? Current anthropological theories are unable to account for this fact, or for the *dyāj* type of brideprice, because they fail to take all factors (social, historical, ideological, religious) into consideration. The same applies to *hundā* or dowry, so that in addition to the terminological difficulties which this term poses to legislators there are additional difficulties caused by the application of this single term to a complex reality that is not easily reducible to a single definition. In many cases this "dowry" has little in common with that practised in some other Indian communities, for example in Bengal (Fruzetti 1990) or in Uttar Pradesh (Vatuk 1980). In Pune, particularly amongst Brahmins, the Marathi word (*hundā*) is taken in the sense reported by Molesworth ([1857] 1986: 905) of "Money given at marriages by the father of the bride to the bridegroom and his party, instead of ornaments and clothes usually presented". This allows members of this community to deny that they have given or received any *hundā* if this consists of gifts in kind. In rural areas, "dowry" means the piece of jewellery which the husband is given, nowadays in most cases accompanied by a sum of money. But whatever the social setting under consideration, this prestation is not always recognised as *hundā*, either on the bride's or the groom's side.

In contrast to this "unclarity", social images of dowry or *hundā* indicate the internalization of a moralising attitude, "external" to the regional situation. This is particularly perceptible amongst the urban upper middle classes; but a negative perception of dowry has also recently begun to emerge amongst the lower middle classes, and in rural areas.

The area studied

Situated between North and South India, Maharashtra presents a very specific social and historical configuration: inheriting a tradition of social reform which some scholars trace back as far as the 12th century (Cashman 1975), embodied by *bhakti* poet-saints, this State is also home to a Maratha warrior identity which took shape in the 17th century under the leadership of Shivaji, and which is linked with territorial dominance. In addition, the region shows a constant interaction between apparently incompatible structural principles pertaining to the North and the South, especially in the domain of kinship and marriage customs, with their accompanying implications in terms of hyper- or isogamy. Although it may seem difficult to define Maharashtra as a region in spatial terms, this can be done by reference to linguistic unity: socially and culturally it can be said that Maharashtra is the geographical area where the Marathi language is spoken - so long as we bear

in mind the relative fluidity of its borders¹. Specific regional characteristics cut across castes and social strata, and it is really possible to speak of a "Maharashtrian cultural substratum" (Bénéri 1993). For example, a number of rituals connected with the regional marriage preference are found amongst both Hindu and Muslim (i.e. Momins) castes.

This uniformity of practice is even more marked amongst the non-Brahmin Hindu castes of Pune and its environs—mainly in and around the village of K.Y. in Shirur Taluk (cf. fig. 1), about 60 km north east of Pune—where our data were collected. Apart from Deshasta Brahmins, the castes studied were mainly Marathas, Shegar Dhangars and castes considered "allied to Marathas". Marathas represent almost half the local population and live mainly on agriculture². The Shegar Dhangars constitute about one third of the total population, and traditionally exercise a sedentary pastoral occupation. They have formed part of the local social structure for many generations (unlike the nomadic Dhangars around Jejuri), and their socio-economic status is similar to that of the Marathas. The so-called "allied" castes, who make up most of the rest of the population, are mainly artisan castes, such as Telis (oil-pressers), Shimpis (tailors), Malis (gardeners), Kolis (water-carriers), Kumbhars (potters), Sutars (carpenters), etc. All of these together are the castes we shall be referring to when we speak of "non-Brahmin Hindu castes" and their similar ritual procedures, especially in the matter of marriage³. Enthoven had already noted this similarity early in the century (1922 a, b, c). As at that time, any differences in marriage rituals observed today seem not to be connected with caste, since a similar degree of variation can be found not only from one caste to another, but also from one family to another, or even within the same family. Similarly, the two examples chosen here from among Marathas and Shegar Dhangars to show changes in the practice of *dyāj* are not caste-specific: many comparable cases were encountered among other non-Brahmin castes in the village.

One warning must be given about the former practice of *dyāj*: the presentation which follows here is based solely upon oral information, not direct observation, since *dyāj* is no longer practised, and there seems to be almost no

1. See Gordon (1993) and Stein (1980) on issues relating to delimitation of the frontiers of Maharashtra/Karnataka/South India.

2. Here we shall not enter into the question of the Maratha-Kunbi complex (in which the Marathas are considered to have been originally warriors, while the Kunbis were farmers), since today these groups are fused into a single Maratha caste. On this topic see the work of Enthoven (1922 a, b, c), O'Hanlon (1985), and Gordon (1993).

3. About thirty weddings were observed from start to finish; we also collected information about other weddings celebrated at the same time or in the past by the same families. For information about other life-cycle ceremonies, see Bénéri (1993).

written account of it. It follows that what is said here must be considered relative, despite the unanimity of the statements, mainly because they may be tinged with an element of nostalgia.

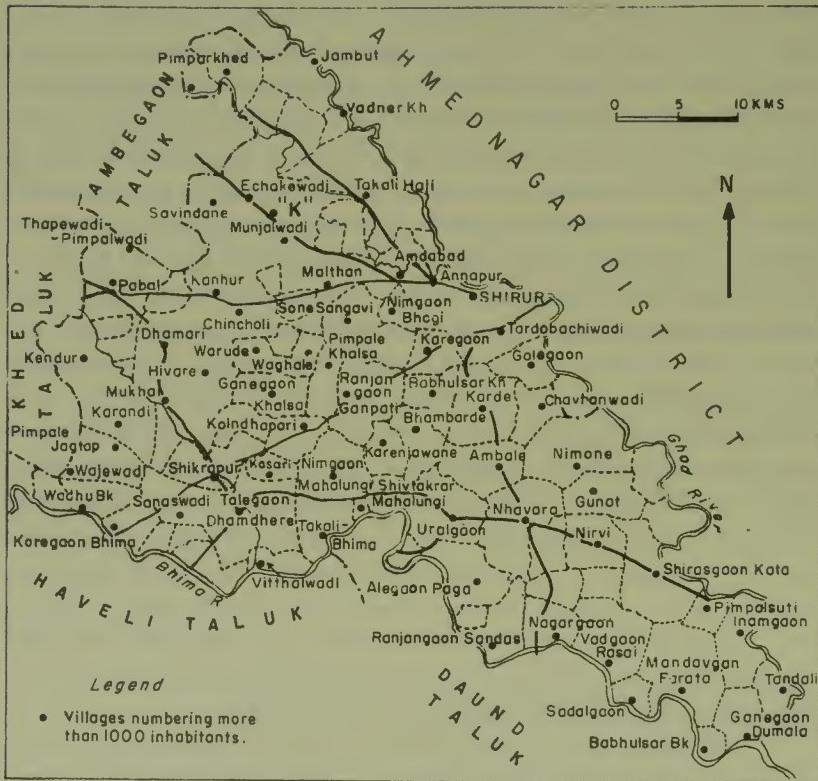


fig. 1. Shirur Taluk (Pune District)

The interviews held in the town about social images of dowry were conducted amongst Brahmin communities of Pune, who belong to both the "intellectual elite of Pune" and the upper middle class (a category that also includes some Marathas), and among the lower middle classes - mainly with Marathas, Shimpis, Gondhalis, and a few Brahmin families. Here, the concept of class is

closely connected with caste, to the extent that, for example, at the beginning of this century most people employed in the tertiary sector were Brahmins. But it also extends beyond it, because, to keep to the same example, at various levels of urban society members of Brahmin communities are engaged in other less lucrative occupations; and in Pune today administrative positions are not held exclusively by Brahmins.

Linked with professional occupation is "cultural milieu" - something rather difficult to define. In general, people belonging to the upper middle classes are those whose socio-economic status has given them most exposure to "modern", predominantly western, values. This does not necessarily mean that they are "westernised"⁴. On the contrary, in Pune, they often attach a certain prestige - at least theoretically - to their Indian (Hindu or other) and/or regional heritage. But because of the surroundings they have grown up in, and especially the education they have received (English medium), they have a way of viewing their own society in Western terms - that is, through Western methods of analysis.

This means that the concept of "upper middle class" is not a purely economic matter, but is also connected with attitudes. Nor is this a matter of "values", for yet again most members of these classes do not seem to accept Western values, but prize the religious and social values they think of as traditionally Indian⁵. It is more a way of analysing and conceiving their relationship to society and social practices. In contrast to this, those who constitute the "lower middle classes" are usually of a lower socio-economic status. Although they are in contact with some forms of urban modernity, this has not led them to adopt "a western attitude".

4. It would be necessary, here too, to define what is usually meant by "westernised". Let us content ourselves with using the term for people who have adopted western ways of thinking, a western way of life and a western value-system.

5. These "traditional Indian values" are generally seen in opposition to Western values (which are usually simplified to the concepts of materialism and individualism), and also seem to be founded on a certain nostalgia for a past "golden age".

1

INDIAN "BRIDEPRICE" AND MAHARASHTRIAN "BRIDEPRICE"

1.1. ECONOMIC AND CUSTOMARY ASPECTS

Many authors have explained the practice of brideprice in economic terms. According to Nair (1978: 45), for example, the woman for whom a brideprice is paid is seen as an economic asset, because by joining the family she enables her husband to increase his productivity, and at the same time makes a sex-based division of labour possible. The husband's family, by paying the brideprice, is compensating the young woman's family for the loss of a working member.

According to this reasoning, dowry is simply the result of a change in the brideprice system: "Dowry is what evolves out of a brideprice system as a purely compensatory payment" (Rajaram 1983: 278). Then we speak of a *positive brideprice*, defined as the product of two positive and one negative elements: the economic contribution of the wife, her participation in the education of the children and the housework, against the cost of her own maintenance (*ibid.*: 275-76). Since no decline in female labour is indicated by statistics, the real determining factor can only be the value accorded to housework. Dowry will be given in cases where this is valued at less than the subsistence-cost of the wife.

But this analysis disregards the case of peasant communities in the villages of Dalena and Wangala (Mandyā District of Karnataka State) amongst whom brideprice was still practised, even in cases where a dowry was given (Epstein 1973: 197). Moreover M.N. Srinivas (1984: 16) points out that the brideprice is or was frequently derisory - unlike dowry, which is very high. So this cannot be a matter of any kind of economic compensation. Even less so since, according to the same author, some Brahmin communities of South India used to pay brideprice in the 19th century, although their women never went out to work. Inversely, among some "tribes" [sic] of West Bengal, the woman continues to work after her marriage, without any brideprice being paid to her parents (*ibid.*: 20). S.L. Hooja also points out (1969: 203) that in North India the young man's parents may occasionally ask for less dowry if the young woman continues to work after the marriage. Therefore it does not seem valid to make any correlation between forms of customary marriage gift (brideprice or dowry) and the value of women's labour. Moreover this fails to account for the ideological implications of these two types of customary payment, which are connected with different forms of marriage recognised by Hindu law.

Of the eight forms of marriage authorised by Manu and the *sāstras*, only two are commonly practised in India today: *Brahma* and *Asura*. The first consists of a gift according to the brahminic model of *kanyādān* (*gift of a girl*): the girl, suitably adorned with jewellery, is given to her husband without any idea of receiving anything in return. This brahminic ideal is governed by the relation between *wife-takers* and *wife-givers*, in which the *takers* are ritually superior to the *givers*, as the ultimate recipients of the *dān*. It is thus possible to speak of the hypergamic tendency of the ritual (Trautmann 1981: 27). Along with the *gift of a virgin*, the bride's parents give a dowry to the husband. The second form of marriage is generally recognised as inferior (Trautmann 1981; Molesworth 1857; Gough 1956; Orenstein 1965; etc.) because it involves a "return" from the groom's family to that of the bride - the customary payment known as brideprice.

1.2. BRIDEPRICE AND *KANYĀDĀN*: AN APPARENT CONTRADICTION

Maharashtra is an exception as far as the two forms of marriage mentioned above are concerned: amongst all non-Brahmin Hindu castes, the practice observed right up to the 1960's and 70's was brideprice, linked with the *kanyādān* ritual. Among these castes this ritual is characterised by three invariable elements. The

first is the rite of *kankan*, a sort of bracelet made of white thread steeped in turmeric, which the bridal couple exchange and tie upon each others' wrists. The second consists of washing the feet of the bridal pair, the husband first, by the *māmā* (maternal uncle) of the bride, occasionally accompanied by his wife. In principle, it is the act of pouring water over the hands of the pair (those of the young man being placed above those of the girl) that symbolises the handing over of the bride to her husband (Trautmann 1981: 290). But in this part of Pune District this act is not so consistently performed during *kanyādān* as the foot-bathing of the bridal pair. Moreover, not only the groom's feet are washed, which would be more consistent with a hypergamic setting, but those of the bride as well, in accord with a more isogamic model⁶. The third invariable element is the customary gift from the bride's maternal uncle, consisting of various utensils. Amongst all Hindu castes (including Brahmins) in this part of Maharashtra, this is the only customary gift that the *māmā* is absolutely bound to make on the marriage of his niece.

In Maharashtra there is no general rule about marriage, but a preference for marriage with the (female) cross-cousin on the mother's side (first cousin)⁷. Although not obligatory, this preference is very commonly observed when practicable. Even so, only just over 10%⁸ of marriages contracted in the area studied were preferential marriages. Although this preference is clearly more of a regional norm than a universal practice, it is nevertheless strongly rooted in Maharashtrian culture, and many marriage rituals and situations highlight it. It also accounts for the hypergamic tendency found in Maharashtra, since marriage with the matrilateral cross-cousin does not allow for return or exchange of wives. Whether preferential or not, all marriages in this region are marked by this hypergamic tendency. Thus, the direction of the *gift of a virgin* cannot be reversed, either in the generation in which a marriage occurs, or in the succeeding one. It may however happen after two generations: this is the specific characteristic of this region. It was explained to me in this way by a Shegar Dhangar informant, who since he had himself "received" a daughter from a family could not "give" them one

6. See also the discussion of this ritual amongst the Chettris and Thakuris of Nepal by Krause (1980: 176), where the bride's feet are washed by her own family, while the groom's are washed only amongst Thakuris, which would also seem more in conformity with a hypergamic model.

7. See the attached annex on the Maratha kinship system.

8. According to the information I collected in K. and neighbouring villages, just over 11% of marriages celebrated between 1948 and 1992 were of this preferred mode. Carter (1974: 33) observed a percentage slightly below 10% in his area (Girvi) between 1965 and 1967.

- and nor could his son; but his grandson could do so when of marriageable age (cf. fig 2). Although, according to this informant and others, this pattern does not occur frequently⁹, it is nevertheless interesting with regard to the preference for a "matriilateral marriage", in that it does allow some form of reciprocity. Through this possibility of a differentiated return, in Maharashtra the hypergamic tendency is accompanied by a potential isogamy. This combination of directions for giving and receiving is also characteristic of the system of customary marriage gifts.

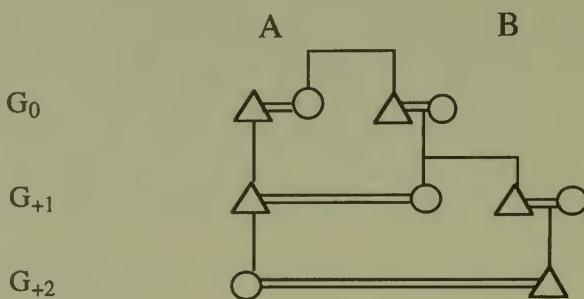


fig. 2. Marriage alliances - symmetry and asymmetry, according to generation

Briefly, these customary payments can be distinguished, as L. Dumont has done for South India (1954: 54), into "internal" and "cross" prestations. The "internal" ones correspond to the South Indian *moy*, and Maharashtrian *āher*. These are given by the guests (relatives or friends) of each family - to the groom and bride respectively. The "cross" payments involve the in-laws (relative to the marriage under consideration) and there is no generic term for them. Right up to the final customary marriage gifts, reciprocity (in the sense of "mutuality") seems to be more marked between the in-laws than within the separate families.

In fact, in Maharashtra as everywhere else in India, the exchange before marriage is consistently initiated by the young man's family. But unlike the rest of India - with the notable exception of the Lingayat community of northern Karnataka studied by Bradford (1985) - where any customary payments made to the

9. I personally encountered only one example, in 1990 in a Teli family; these were cousins separated by five links, and it was moreover a second marriage for both partners, the husband being a widower and the wife divorced from an earlier marriage.

bride's family are returned much increased¹⁰, in Maharashtra the exchanges made before a marriage were balanced up to the 1960s and 70s. The father and mother of the groom would give the bride the silver chain bracelets (*painjan*) and the sari she would wear for the *sakherpuḍā* (a sort of betrothal ceremony), and the bride's family would also provide the groom's festive garments (cf. fig. 3). Similarly, at the time of the wedding itself, each family would provide the clothes of the incoming member. In addition, the groom's family would provide the bride's wedding jewellery, including the costly marriage necklace (*mangalsūtra*) of small black beads with two cups and five beads of gold. The girl's family would only exceptionally contribute to the cost of this necklace. No series of customary "cross" payments would take place between the betrothal and the wedding. During the first year after the wedding only *śrāvāṇpāṭī* (see below) would be given. Consequently, unlike what often happens elsewhere in India, here there could be no question of customary payments initiated by the husband's family which the bride's family would have to return considerably increased¹¹. In a similar way, certain customary gifts are still exchanged between the two families today at the wedding ceremonies - in contradiction to the *kanyādān* ideology, according to which the husband's family, as *wife-takers* theoretically should not give anything in return. Here, on the contrary, a return of customary gifts occurs and is expected by the *wife-givers* (cf. fig. 4).

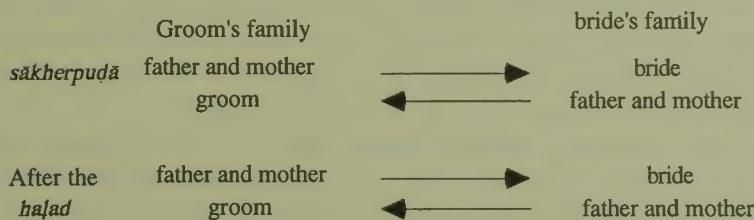


fig. 3. customary cross-prestations to bride and groom

10. See for example Dumont (1957) and Miller (1980) on the South, Jamous (1991) on the Mewat area, Vatuk (1980) on Uttar Pradesh, Mayer (1960) on Central India, Madan (1975) on Kashmir and Parry (1979) on Kangra.

11. Bradford (1985) observes a similar reciprocity of exchanges between the bride's and groom's families. But he gives no information about other customary payments apart from those centering directly on the bride and groom.

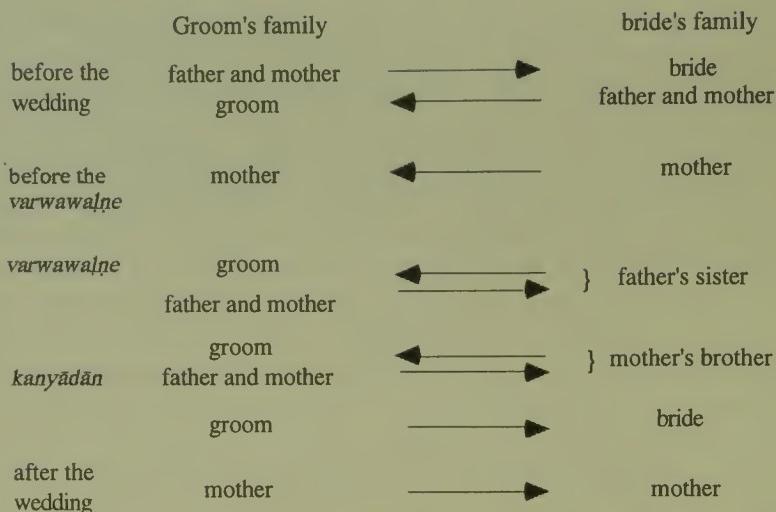


fig. 4. Summary of customary cross-prestations involved in a wedding

Although sharing some common features with certain areas of South India (including the preferred form of marriage to the female matrilateral first cousin), Maharashtra nevertheless maintained a certain equilibrium in the marriage relations between the two families. This was only relative, however, because - just as among the Lingayats of northern Karnataka (Bradford *ibid.*) - in the past there seems to have been an advantage on the side of the *wife-givers*, through the practice of a brideprice (*dyāj*) given to the father of the bride by the groom's father. In any case, at first sight, this tendency towards reciprocity between the two families seems to be out of tune with the *kanyādān* ritual. Especially if we think, as Trautmann does (*ibid.*), about the Tamil Nadu village studied by K. Gough (1956) that, "[...] we must reckon with the possibility that the *kanyādāna* complex is a force favourable to a preference for the matrilateral rule within the Dravidian region [...]" But the possibility which exists in Maharashtra - despite the matrilateral marriage preference - to "return" a wife after two generations, could account for this reciprocity. Let us note the statements of the Ambalakkarar of South India (Dumont 1961: 33-34):

"They say that in the patrilateral system, the dowry [...] given in one generation returns to where it came from in the following generation, whereas in the matrilateral formula one lineage goes on giving to another, from generation to generation, without receiving anything in exchange."

In Maharashtra, the combination of matri- and patrilateral systems might explain the form of reciprocity that characterises the traditional customary gifts between the two families. So although the association of a brideprice with the rite of *kanyādān* is considered contradictory in anthropological literature¹², this type of reciprocity would accord quite well with the traditional practice of *dyāj* observed amongst the non-Brahmin Hindu castes of this region.

12. Trautmann says for example (*ibid.*: 30), "Among the lower castes [...] bride-wealth is paid, a practice inconsistent with *kanyādāna*".

2

PARTICULARS OF *DYĀJ*

We shall be referring to tables that show the composition of customary cross marriage payments in a single family in different generations¹³. Although it was rarely possible to cover more than three generations, these tables are nevertheless interesting because they do show changes in the practice of *dyāj* up to the time it was abandoned about thirty years ago.

Not only these customary payments changed: marriage rituals have also undergone a corresponding modification over the course of time. Since the 1960s and 70s, marriage ceremonies have become shorter than in the past: now they are performed within a single day, while the *sākherpudā* ceremonies are held several weeks earlier, and the *haṭad* on the day before the actual wedding. Moreover, probably within the last eight or nine years, all the rituals involved in the marriage have undergone a considerable condensation¹⁴: they have been both reduced in content and compressed in time. In one third of the 30-odd Hindu weddings celebrated for young people from the village of K. during 1992, even the *āher* (internal customary payments) took place on the same day as all the other ceremonies. In the remaining marriages, *sākherpudā* (betrothal), *haṭad* and *āher* took

13. Only one example each will be given for Marathas and Shegar Dhangars respectively. For a more exhaustive presentation by caste, cf. Bénéï (1993).

14. McKim Marriott (1959: 72) uses this term, along with that of "standardisation", to characterise the process of change towards a "mass dissemination as part of a new democratic national culture" that has taken place in India since Independence. The process at work here is of the same kind.

place on one day, and the wedding ceremony proper on the day after. And while these rituals have been condensed, others have been dropped. These include both minor rites and others that the *sūtras* consider more fundamental (Apte 1978: 103), such as *lajahōm* and *saptapadī*.

At the time when *dyāj* was still being practised, that is up to the 1960s and 70s, the wedding ceremony was usually held at the bride's home, and her family would be responsible for the preparations and expenses involved (food, ceremony, etc.). But occasionally the wedding took place at the bridegroom's home, in which case his family paid for it. The bridegroom's father would still pay a *dyāj* to the bride's family¹⁵.

2.1. IS *DYĀJ* EQUIVALENT TO 'BRIDEPRICE'?

Strangely enough, the term *dyāj* does not appear in any Marathi-English dictionary, nor even in most Marathi ones¹⁶. Nevertheless the practice which it names is officially recorded in Maharashtra among non-Brahmin Hindu castes, both at the beginning of this century (Enthoven 1922 a,b,c) and in the 1960s (Orenstein 1965, Karve 1968b). In one Marathi dictionary we do find an entry for *dyāj*, which gives three equivalents: *kanyāśulka*, *vadhudakṣiṇa* and *dej* (Joshi 1970: 557). The first of these means literally, "the price of a girl", and the second "the fee for a maiden"; the third, "dej", receives no entry in this dictionary. But Molesworth (*ibid.*: 422) supplies the following definition, "(Among people of the Shudra class.) Money &c. [sic] given at marriages by the bridegroom to the father of the bride"¹⁷. The word *dej* is said to be derived from Sanskrit *dēya*, meaning "that

15. Orenstein (1965: 50) states that if a dowry was paid, the marriage ceremonies would take place in the bride's village, implying that when a *dyāj* was given they would take place at the groom's. But at K., according to the information I was given, there seems to have been no such direct correlation: the marriage was performed at the bride's home whenever possible, regardless of whether *dyāj* was given or not.

16. Even the standard reference work, Molesworth ([1857] 1986), does not mention it. In his preface to the 1857 edition (*ibid.*: xxi), Sir J.T. Molesworth refers only to the consistent contribution Brahmin pandits. In his first dictionary, the author had defined Marathi as "the language of Deshastha Brahmans and ... spoken in and around the region of Poona". Since the word *dyāj* does not refer to a Brahmin practice, it could not appear in the later edition of the dictionary. This Brahmin hegemony over the Marathi language may perhaps also account for the idea that "brideprice" is an inferior custom, fit only for Shudras (see below).

17. This definition is preceded by the letter C, indicating that "the word is especially used, at least in its primitive or its principal senses, in the Konkan" (*ibid.*: xvi); so it is not surprising that the term *dej* as an equivalent of *dyāj* was not encountered in the area I

which should be given". Here there is no question of "price", in contrast to the anthropologists' translation of the term *dyāj* as "brideprice". This label not only fails to express the vernacular sense - which indicates only one current usage - but also carries a pejorative connotation which is absent from the Marathi word.

Besides, Molesworth's definition seems to concern only "people of the Shudra class" - that is, the "servile classes" (*ibid.*: 797), for he considers Vaishyas as an "agricultural and mercantile tribe" (*ibid.*: 775). But this practice does not seem to have been confined to the "servile classes" in Maharashtra. In K. and its environs, for example, all the non-Brahmin Hindu castes, whether artisans, merchants or farmers, used to practice this form of brideprice. Similarly, I. Karve (1968b: 165) confirms the practice of *dyāj*, although she does not name it as such: "... among many non-Brahmins the bride's people received the dowry [sic] and the gifts are more reciprocal than in the north". Moreover, this particular form of brideprice was an aristocratic practice, current among the Marathas. Nowadays, the descendants of the Pawar dynasty, a branch of whom used to rule the villages of K. and Malthan, still testify to this.

Finally, Molesworth mentions the giving of a sum of money to the father of the bride as the main element of *dej*. Here he does not use the term very frequently utilised in reference to brideprice of "token" or "gift" (Blunt 1931, Srinivas 1984¹⁸), which means that we should not consider *dyāj* as a mere token. `

2.2. TABLES SHOWING MARRIAGE PRESTATIONS IN DIFFERENT GENERATIONS

The single Maratha example presented here is that of a family who celebrated the weddings of a son and a daughter in May 1992. The earliest (non-preferential) marriage in this family about which we have any information is that of an elder brother of the father of these two young people. This took place in 1945 and was performed at the groom's home - so the wedding-expenses were borne by his father. In addition, the latter gave Rs. 900 to the bride's father as *dyāj* at the time of the wedding, but nothing else (i.e. no wheat), because, the informant said, his father had paid all the wedding expenses (cf. fig. 5).

studied. According to J. Pacquement (in a personal communication) *dyāj* would be a vulgar form of *dej*, relatively common in the hilly areas of the Konkan where the sound *e* is replaced by *yā*.

18. Srinivas' position on this matter is unclear; on one hand he states (1984: 16) that the sum given as brideprice was often derisory; on the other (*ibid.*: 17) he uses the same term to refer to a large sum given amongst Iyengar Brahmins of Mysore in the late 19th century.

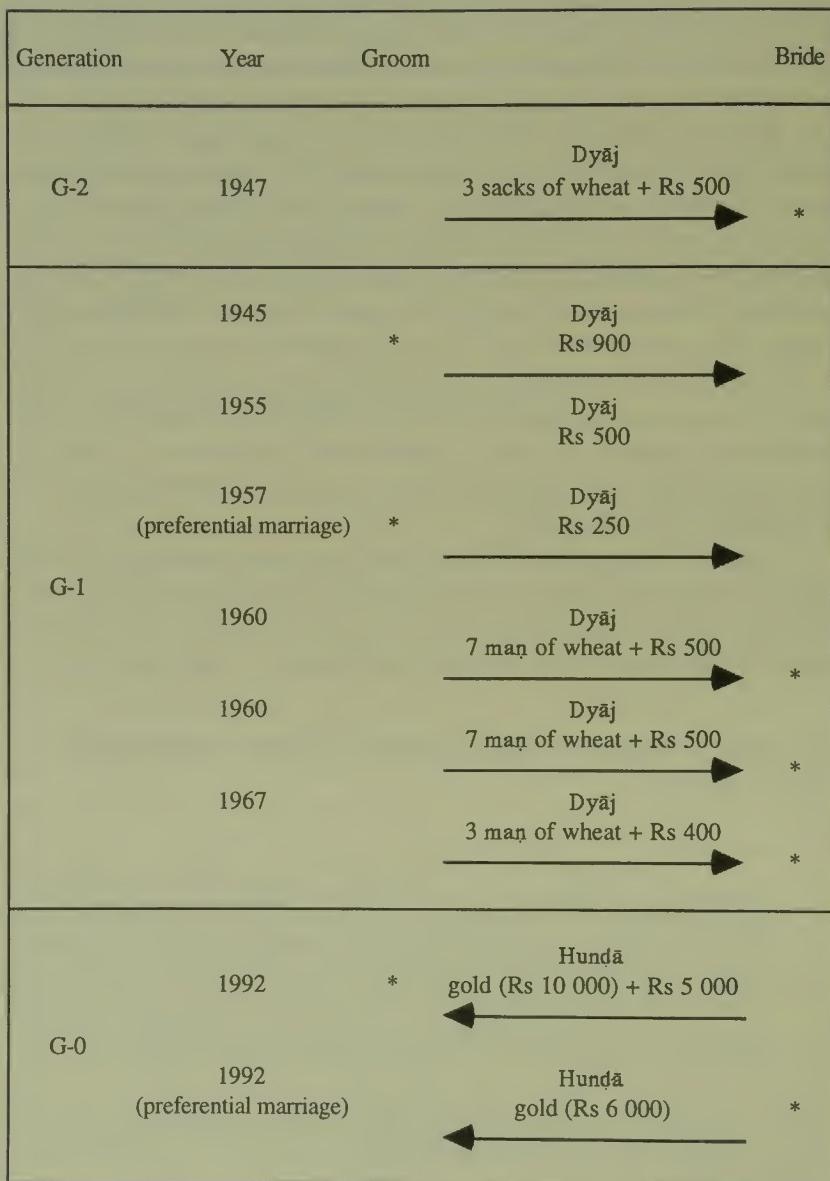


fig. 5. Diagram showing marriage prestations in different generations of a Maratha family

(* in this and the following figures, indicates the location of the wedding, and the family responsible for paying the expenses involved.)

This was a large sum at the time, especially considering the cost of the bride's marriage necklace, which her father did not contribute to. Two years later, in 1947, the wedding of the same informant's *ātyā* (father's sister) was celebrated at her own home. Her father received from the groom's father a *dyāj* of three sacks of wheat and Rs. 500. In 1955, when the informant's own sister was married, the groom's father gave a *dyāj* of only Rs. 500. In 1957 the informant's own marriage took place, at his home. His father paid the bride's family Rs. 250 as *dyāj*, but no wheat, again because he had paid the wedding expenses himself. In this family, exchanges between the in-laws connected with later marriages followed a similar pattern up to the end of the 1960s: regardless of whether the marriage was preferential or not, and where it took place, the groom's father paid the bride's father a *dyāj* of cash, and sometimes also of wheat. This was also the case in two marriages of distant female cousins of the informant, one of which took place around 1960, and the other around 1967. But in the later marriages - of his own son and daughter - in each case the groom's father received from the father of the bride a payment considered as *hundā* (cf. fig. 5).

Another example, from a Shegar Dhangar family. In the first generation this shows the marriages of two brothers and their parallel (male) cousin on the father's side; and in the second, the marriages of their respective children. The elder brother was married in 1960, and his younger brother in 1969, after their cousin. The change is apparent: while the father of the first bride received a *dyāj* of 5 *man* of wheat plus Rs. 100, the father of the last bride, nine years later, neither received nor gave anything (cf. fig. 6). According to this informant, this was a rather troubled time, with many upheavals and changes, and marriage practices were already getting modified: some families were already giving a *hundā* when marrying their daughters. This new direction in customary payments intensified later, especially in the early 1970s amongst Shegar Dhangars, as the subsequent marriages in this family show.

The elder brother of our informant mentioned above had three sons. The first was married in 1987, at the bride's home, the wedding expenses being borne by her father. The groom's family, as usual, supplied the bride's marriage-necklace (half a *tōla* of gold - 5 grams), but also received a *hundā* of Rs. 500. According to the bridegroom's mother, this dowry was relatively low because her son was not highly educated. The two other sons were married in 1991, at the same time as two (male) cousins, and their father paid the expenses of the wedding, which took place at their home. This time, the father of one of the brides gave a *hundā* of Rs. 6,000, and the other of Rs. 7,000. Although some informants said that these two amounts should in fact be considered as a financial contribution from the bride's family towards the wedding-expenses, the fact remains that when *dyāj* was being practised, in a similar situation no compensatory payment was made to the groom's father. Moreover these payments, like the watch which was given to each groom, were referred to by the groom's mother as *hundā*. So the flow of gifts seems to have been clearly reversed: in the 1980s no payment in either cash or wheat, neither as *dyāj* nor

under any other name, was any longer given to the bride's family in any non-Brahmin Hindu caste in the area investigated. On the contrary, the bride's family is now supposed to give a sum of money and a piece of jewellery (a watch, ring, gold chain, etc.) to the groom. All the later marriages - in this family and all other families whatever their caste - follow this pattern (cf. fig. 6).

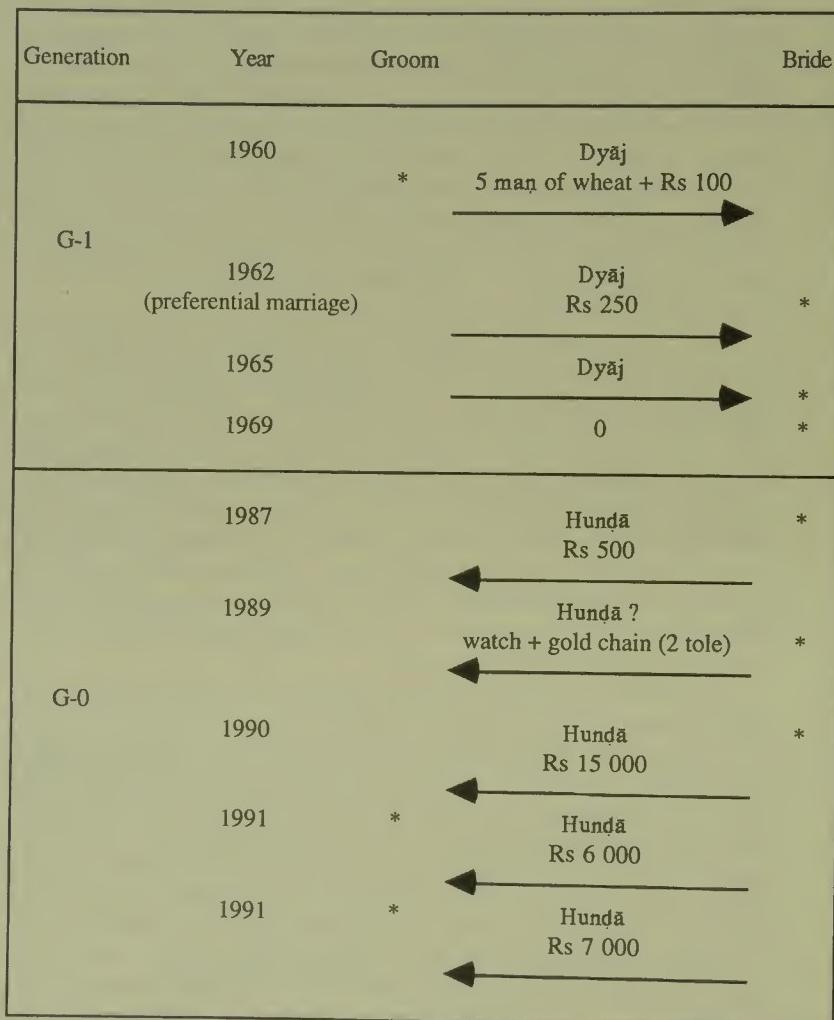


fig. 6. Diagram showing marriage prestations in different generations of a Shegar Dhangar family

2.3. *DYĀJ* NOT A MERE TOKEN

Of the two components of *dyāj*, money seems to have been the main one, and the sums paid, up to the 1950s, were considerable. The wheat given also represented a significant economic contribution, judging by the cost of living at the various periods. For example, around 1938, when a *dyāj* of Rs. 125 was given, the rate for a *tōla* of gold was Rs. 35¹⁹. Similarly in 1955, when one dozen eggs cost Re. 1, the approximate amount of a *dyāj* was around Rs. 300-400, plus 3 to 4 sacks of wheat²⁰. Again, around 1967, a *dyāj* of 3 sacks of wheat and Rs. 400 would represent a total value of Rs 760²¹.

The economic importance of wheat and money as components of *dyāj* is further reinforced by the relative scarcity of each of them. Up to the 1950s, in fact, money was not much in use in the countryside, at least in day to day life. Only occasional expenditures (i.e. those connected with the purchase of utensils, livestock and gold) were made in cash. This would seem to confirm that this money was in fact used to cover the expenses of the wedding it was meant for, of the utensils which the bride's father would give his daughter, or of the pieces of jewellery that the groom's father would have made for his daughter-in-law²².

19. Figure from the *Report on Currency and Finance* of the Reserve Bank of India, Bombay, Examiner Press, 1950, p.117.

20. One sack of wheat (*pote*) represented one *maṇi* measure - that is, in the region concerned, 100 kg. In Maharashtra at the beginning of the 1960s, one quintal of wheat was worth about Rs. 50. This means that in 1955 four sacks of wheat would represent a sum of Rs. 150-200. (Unfortunately I have no figures for the period before 1960. The figure given here is taken from the publication of the Directorate of Economics and Statistics, Ministry of Agriculture and Irrigation, New Delhi, 197, p.33, entitled *Agricultural Prices in India, 1963 to 1974*.) The rate for gold fluctuated between Rs. 82 and Rs. 100 per *tōla* during this period. (Figure drawn from *Report on Currency and Finance 1970-71*, p.86, of the Reserve Bank of India.) The average weight of the *manga/sūtra* given at this time was from a half to one *tōla*. The wheat and the sum of money given from the groom's side therefore represented a significant economic input for the bride's family, which in 1992, considering the present cost of living in K. according to my observations, would be equivalent to a total of about Rs. 10,000 - which is in fact about the amount which is nowadays given as *hundā*, including the jewellery for the groom, by the bride's family to the groom's.

21. The rate for wheat was around Rs. 120 per quintal, and the rate for gold around Rs. 85-155 per *tōla*. Figures drawn respectively from the publication of the Directorate of Economics and Statistics, Ministry of Agriculture and Irrigation, New Delhi, 1976 (*ibid.*) and the *Report on Currency and Finance, 1970-71* (*ibid.*).

22. As for where this money came from, it is very probable that the peasants obtained it from the sale of surplus agricultural produce. Another way of obtaining cash might also be borrowing - a practice which is very widespread throughout India.

As for wheat, it stands third among the main cereals produced in the village of K., far behind *bājri* and *jwārī*, two Indian varieties of millet²³. So how is it that wheat, and not one of these other cereals, was used as a medium of exchange in marriages? Is this to say that it was more widely cultivated at the time when *dyāj* was still being practised? The case of the neighbouring village of Malthan indicates otherwise²⁴. Moreover in this region Bara Balutes were traditionally remunerated in *bājri* and *jwārī*. It seems in fact that wheat was only eaten on festive occasions and remained a luxury food, at least up to the 1960s²⁵. This cereal thus had a considerable economic value, especially since it often had to be bought, as the family production would normally be insufficient. In fact, according to Maratha and Shegar Dhangar informants, although the wheat given as *dyāj* was primarily "home wheat" (*dyājāsāthi gahu gharcā vāparit*), families who did not have any would buy from other people; there was always someone with a small surplus available for sale in K. or its environs.

But despite the considerable market value of the *dyāj*, it is not possible to consider it as an "economic compensation" to the bride's family. This is shown, for example, by the manner in which the amount to be given was arrived at (in the region studied, this was never fixed according to any rules, either written or oral). It did not vary according to caste, but depended on the economic situation of each family at the time of the wedding. It seems to have been determined by two criteria: the "qualities" of the girl, and the size of her family. If the girl was "beautiful to look at" (*disāyīlā cānglī aslī*) and had many good qualities, and also if her family was large, then a larger *dyāj* was taken. This last point contradicts the strictly economic argument for brideprice - as a larger compensation should logically be given to a smaller family, since they would be losing a valuable part of their labour-force when the bride left. In any case, this economic argument fails to explain how the changeover from *dyāj* to *hundā* could come about: women are still

23. K. is not exceptional in this regard. In 1986-87 the State of Maharashtra produced only 53,6400 tonnes of wheat on a cultivated area of 73,5500 hectares. (Drawn from *Statistical Abstract of Maharashtra State*, Directorate of Economics and Statistics, Government of Maharashtra, Bombay, 1986-87, p.9). I have no separate figures for the Taluk of Shirur; but given its predominantly dry nature, particularly in and around K, the peasants are obliged to grow more millet than wheat.

24. This village was studied by a team from the Gokhale Institute of Politics and Economics in Pune (*Survey of Economic Change in Rural Areas: Malthan 1957-58:110*). In the late 1950s, on the 84.2% of lands under food-crops, 41.3% was occupied by *bājri*, 40.7% by *jwārī* and only 1% by wheat. The yield of these fields for the agricultural year 1957-58 was 2.4 tonnes, 19.6 tonnes and 0.5 tonnes respectively for these three cereals.

25. According to the study of Malthan village (cf. note above), p.234.

engaged in the same kinds of occupation as at the time when *dyāj* was being practised; and yet fathers are now finding themselves obliged to provide a *hundā* in order to marry their daughters.

2.4. "DYĀJ WENT AWAY - AND HUNDĀ CAME"

Although *dyāj* has now been replaced by *hundā*, this transition took place gradually. The value of *dyāj* increased over the first half of this century, reaching a peak at different times in different castes. Among the Marathas, for example, this seems to have occurred in the early 1950s. It began decreasing around 1955, even within one family (cf. fig. 7)²⁶. Amongst Shegar Dhangars, on the other hand, *dyāj* seems to have continued to increase up to the early 1960s, and began to decline gradually towards the end of this decade, along with the decline in the practice itself (cf. fig. 8). For other non-Brahmin Hindu castes, of whom there are few in K., it is difficult to suggest an exact date. Within a single caste, a few families had already begun to practice a form of *hundā* in the 1960s, when others were only just abandoning *dyāj*. In most of these castes and cases, the appearance of a form of *hundā* did not immediately follow on abandonment of *dyāj*. One could speak of a transition period - around 1960 for Marathas and around 1970 for Shegar Dhangars - when neither *dyāj* nor *hundā* were given²⁷.

26. On the other hand, judging from information given by an old Marathi lady, around 1915-20, when a goat cost Rs. 7 (nowadays it may cost Rs. 500-1,000), people were already giving a *dyāj* of Rs. 300-400 and five or six sacks of wheat. Nevertheless, at the time of her own marriage, around 1915, no *dyāj* was received because of a great famine, caused by several successive years of drought. This information qualifies that given above, and suggests that the value of the *dyāj* also varied according to the quality of the harvest for the year in question.

27. A Teli woman of about sixty-five commented, "Slowly, gradually, the custom [of *dyāj*] has gone, now there is a new custom" (*haṭa haṭa paddhat nighali, atta navin paddhat 'he*); and she added "Now everything has changed, everything is new, the people are new" (*atta sagle badalle, sagle navin ahe, lōk navin ahet*).

Generation	Year	Presentation	Groom	Bride
G-2	1947	Dyāj	3 sacks of wheat + Rs 500	*
	1945	Dyāj	* Rs 900	
	1952	Dyāj	5/6 man of wheat + Rs 400	
	1955	Dyāj	Rs 500	
	1957	Dyāj	3,5 man of wheat + Rs 350	*
	1957 (preferential marriage)	Dyāj	4 man of wheat + Rs 400	*
	1957	Dyāj	* Rs 250	
	1960	Dyāj	3 man of wheat	*
	1960	Dyāj	7 man of wheat + Rs 500	*
	1967	Dyāj	7 man of wheat + Rs 500	*
G-1	1979	Dyāj	3 man of wheat + Rs 400	*
	1980	Hunda	Rs 7 000	*
	1980	Hunda	Rs 5 000	*
	1981	—		*
	1982	—		*
	1984 (preferential marriage)	Hunda	Rs 5 000	*
	1984	—		*
	1984 (preferential marriage)	—		*
	1985	Hunda	Rs 5 000 + gold (2 tole)	*
	1987	Hunda	Rs 5 000	*
G-0	1992	Hunda	Rs 5 000	*
	1992 (preferential marriage)	Hunda	* Gold (Rs 10 000) + Rs 5 000	
	1992	Hunda	Gold (Rs 6 000)	*
	Hunda		Rs 11 000	*

fig. 7. Diagram showing all marriage prestations in different generations, for Maratha families

	Year	Groom	Bride
G-2	1938	Dyāj 5 man of wheat + Rs 65	* *
	1960	Dyāj 6 man of wheat + Rs 100	
	1962	Dyāj 6 sacks of wheat + Rs 300	*
G-1	1962 (preferential marriage)	Dyāj Rs 250	*
	1965	Dyāj	*
	1969	0	*
	1987	Hundā Rs 500	*
	1989	Hundā watch + gold chain (2 tole)	*
	1990	Hundā Rs 15 000	*
G-0	1991	Hundā Rs 6 000	*
	1991	Hundā Rs 7 000	*
	1992	Hundā Rs 11 000	*
	1992	Hundā watch + gold ring (Rs 3 000)	*

fig. 8. Diagram showing all marriage prestations in different generations for Shegar Dhangar families

Nowadays, no trace remains of the practice of *dyāj* in any form. None of the few traditional customary gifts still made by the groom's family to the bride's resemble that former one in any way. Moreover imbalances are appearing in the payments given. For example, the bride's family now gives a piece of jewellery - most often a watch, or a ring, less often a neck chain, and occasionally two or all three of these - to the bridegroom at the end of the *sākherpudā*. This custom, which did not exist in the past in any non-Brahmin Hindu caste, has become very common today, and was observed in all the marriages I witnessed in 1990 and 1992. Some bride's families consider this part of the dowry, while others say it is only a mark of affection (*prem*) and respect (*ādar*) towards the groom. But unlike North India, where this customary gift may be very long-established, especially amongst Brahmins (see Vatuk 1980: 161), in Maharashtra this extra gift to the groom has appeared within the last twenty years. Moreover my informants themselves thought that it had appeared alongside the dropping of brideprice and the beginnings of *hundā*.

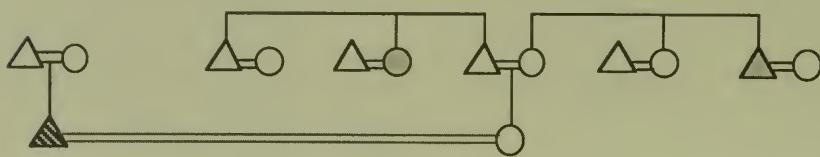


fig. 9. Customary cross-prestations towards the groom at marriage, given by the *atyā* (during *varwawalpe*) and the *māma* (during *kanyadān*)

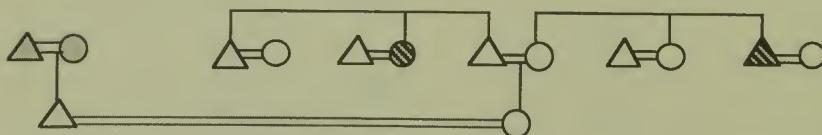
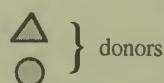


fig. 10. Counter-prestations to these relatives from the groom's family



donors



recipients

Some of the customary gifts formerly made by the groom's family to the bride's are being increasingly often omitted²⁸ or modified. There is now an imbalance in the customary cross-payments, to the benefit of the groom's side, unlike the days when *dyāj* was practised. Moreover recently an extension of cross-payments after marriage can be observed, which is also in favour of the husband. In the first year of marriage, during the Hindu month of *śrāvaṇa*, the husband's family formerly used to give clothes to the bride's family at the festival of *śrāvanapāti*, and supply wheat for a shared meal. Nowadays this gift from the husband's side is often limited to the bride alone, or sometimes also to the female relative accompanying her. In the times when *dyāj* was practised, the *śrāvanapāti* was the only gift-giving - apart from later ones connected with births and deaths - performed after the wedding, unlike the series of "exchanges" practised elsewhere in India. During various major Hindu religious festivals (Dasera, Diwali, etc.) the bride used to carry food from her in-laws to her *māherī* (her natal household); and she would return with food, but nothing else. Nowadays, festivals like Diwali are the occasion for gift-giving from the bride's family to the husband's, in all the non-Brahmin Hindu castes. This gift is often directed towards the husband himself, who may receive a watch or a radio, etc. This practice, like that of giving a piece of jewellery to the husband, is no more than twenty years old according to my informants - that means that it has arisen at the same time as the changeover to practising a form of dowry.

So there has really been a change from one model to another: from one of reciprocal cross-payments to one that is oriented in favour of the family receiving the wife²⁹. How shall we assess the change that has taken place in recent decades? What is the significance of the fact that a law prohibiting the practice of dowry was passed at the very time when certain communities were just beginning to give something that they call by this name? How are public images of dowry related to the concern of the Indian legislature?

28. Such as the payment which the father's sister should receive after performing the rite of welcome to the groom (*varwawañne*), in the course of which she presents him with a vessel. According to custom she should receive a blousepiece. The same applies to the customary gift to the girl's maternal uncle: the boy's family no longer always give this.

29. The present case seems to be very different from that of the Lingayats in northern Karnataka (Bradford 1985), where apart from the suppression of *teravu* (brideprice) and the recent practice of a *groom-fee*, the customary pattern of gift-giving does not seem to have changed - at least up to the end of the 1970s - and the wedding is still celebrated at the groom's home, at his parents' expense. But it would be interesting to know whether this still applies to marriage exchanges in this community nowadays.

3

DOWRY, LAW, AND OFFICIALS

The law of 1961 abolishing dowry defines it as follows:

"Any property or valuable security given or agreed to be given either directly or indirectly:

a - by one party to a marriage to the other party to the marriage ; or

b -by the parents of either party to a marriage or by any other person, to either party to the marriage or to any other person ;

at or before or after the marriage as consideration for the marriage of the said parties, but does not include dower or *mahr* in the case of persons to whom the Muslim Personal Law (*Shariat*) applies".

Penalties are prescribed for infraction of the law, up to a maximum of a Rs 5000 fine plus six months imprisonment.

This law was quite ineffective (Verghese 1980; Krishnamurthy 1981; Paul 1986; etc.). Fifteen years later, the magistrates of a Delhi court declared (Verghese *ibid.*: 177): "Dowry has been a social evil in this country for several centuries [...]. It is high time that this evil was fought on a social plane as well as by the State". In 1984 the Indian Government promulgated additional measures, stipulating that the bride should keep a list of gifts given to her at the time of her marriage (Achar & Venkanna 1986: 178); and similarly for the bridegroom³⁰. Other

30. This list is also supposed to record a brief description of each gift, its approximate value, the name of the donor and the nature of his relationship to the bride or groom. It is to be signed by both husband and wife.

clauses stipulate penalties to be incurred by the husband's family for "cruelty" to the bride, and the procedure to be followed in case of "suicide" or suspicious deaths of women who have been married less than seven years. These measures were a response to the concerns of various pressure groups, such as women's associations, reformers and legislators, intellectuals and the national press. Some wanted to abolish all forms of dowry (Nangia 1984-1985), while others felt that only its present form has become corrupted³¹. These authors often use an organic metaphor, in which society is seen as a living organism and social problems as "social ills". Dowry becomes a "virus", a "social disease / evil" (Krishnamurthy 1981: 8 ; Nair 1978: ix ; Nangia *ibid.*: 38). The "dowry system" is also the "indicator of a great social injustice" (Hooja 1969: 212), or an "antisocial institution" (Srinivas 1984: 29). Perceived as a violation of egalitarian principles, it represents "an obvious obstacle to the aims of national reconstruction"³². This current of reformist thinking, influenced by western values of equality and democracy, runs counter to the hierarchic caste model (see Dumont 1966 a). The example of Ram Mohan Roy, one of the first Indian thinkers to come into contact with western values, is frequently cited by reformers wanting to abolish dowry practice: "If Raja Rammohan Roy could stamp out the custom of *sati* in a single generation, there is no reason why the accursed dowry system should not vanish in a single generation"³³.

The *media*, and especially the Press, dealing with the dowry issue from the standpoint of the Indian intellectuals, highlight cases of "dowry death". In the course of my investigations, informants were sometimes unwilling to state whether or not a dowry had been given or received. Is this attitude the result of an image the media have helped to spread? Is there a real correspondence between the negative image presented by the media and the actual facts? Officials such as social workers, police and lawyers would seem to be in the best position to give an account of any "excessive" dowry practice and its repercussions.

31. Krishnamurthy (1981: 12). This author (*ibid.*: 5) goes further, saying that this custom may have had some social value at the time (not given) of its conception, but has degenerated into "an anachronic and incongruous disease threatening the vital organs of society".

32. Nangia (*ibid.*: iii) also says, "This menace which is potentially disastrous, has posed a serious threat to our country's name and fame."

33. Nangia (*ibid.*: 11). The practice of *sati* does in fact still survive even today. It might be informative to study cases of daughters-in-law who are burnt, with regard to this ancient custom: could it be a "resurgence"? In any case, see the article of C. Weinberger-Thomas (1989: 9-15).

The social workers I spoke to were mainly active in women's groups and organisations (almost 30 of these exist in Pune), and in specialist centres recognised by the Government of Maharashtra (such as the Karve Institute for Social Services). They are mostly women, and have practical experience in the field of women's protection.

According to them, abuses connected with dowry have not markedly increased over recent decades. What has changed is the image people have of this practice. One social worker (of Deshasta Brahmin caste) who has been conducting social work in an "underprivileged" urban setting for many years, said, "Before, people weren't so newspaper-minded, and dowry wasn't spoken of in the newspapers. so these things were not known, even if they existed". Similarly S.P., of the Nari Samata Manch organisation, states that nowadays dowry cases appear in the newspapers, but are not more numerous than in the past. M.G. (from the Karve Institute for Social Services) confirms that although dowry cases have not diminished, there is no statistical indication that they have increased - this contradicts figures reported in the *Maharashtra Herald* (1993, Jan. 29: 7) recording a clear increase. Similar opinions were expressed by K.P. and S.R. (of the Purogami Stree Sanghatana), who considered that because dowry cases are more widely heard about nowadays, one gets the impression that they have increased. S.P. (of the Bhartiya Mahila Federation) thinks that dowry practice gives rise to less abuses today, but that "due to protesting and shouting against it, one gets the feeling that it's increasing more and more"³⁴.

So what is the actual incidence of dowry cases? The social workers find this a difficult question. Not only are statistics lacking, but dowry cases as such are almost non-existent and very often linked with the wider issue of conjugal violence (wives are beaten, denied food, abandoned or sent away by their husbands, etc.)³⁵. Moreover it is difficult to prove that the problem is related to dowry, if the husband's family deny it. "When the husband denies all accusations relating to dowry, it means this is part of the problem", says S.P. (Nari Samata Manch). The

34. Throughout India, women's associations by their protests and agitation have undeniably contributed to sensitising public opinion to the dowry issue. On this topic, see the article published by D. Nagasila and V. Suresh (1992) with a photo showing a demonstration against dowry by women's organisations in Madras.

35. Cf. Sood ed. (1989), especially the articles by Prasad (293-309) and Sugunar (321-325). It seems difficult to make a clear distinction between conjugal and family violence for two reasons. On one hand, conjugal violence takes place within a wider context of family violence, and involves the same subordination of women to men, which is perpetuated over the generations within a family. On the other hand, the figures collected by the various organisations sometimes refer only to conjugal violence, and sometimes take into account the family setting.

wife's family tends to oscillate between two attitudes, one accusing, the other dismissive. Some families see the bad treatment inflicted on their daughter as clear evidence that the in-laws are demanding a "continuation" of the dowry. And at the NSM they say that the wife herself, who is very often aware of negative public views of dowry, tends to stress this aspect. Other families, on the contrary, refuse to admit that they have given any dowry³⁶. A social worker at the Mahila Seva Gram states that the wives who seek assistance from the institution do not trust the social workers; thus the essential problem is rarely made known to them³⁷.

This means that dowry cases in the strict sense seem to be very rare. According to the Nari Samata Manch, out of a total of 160 cases (inclusive of all causes) in 1989 and 153 in 1990, only 5 dowry cases - also associated with family violence - were encountered. According to M.S. (legal adviser) it is very difficult to officially determine the number of dowry cases, because so few of them are brought before the courts. Only 15-20 cases, she said, have been officially registered in the last 20 years. At the Karve Institute for Social Services, where a "Family Counselling Centre" has been in operation since 1989 in co-ordination with the State Welfare Advisory Board, most of the cases they come across are desertion by the husband or separation of the couple, ill-treatment of the wife, harassment and conjugal incompatibility³⁸. By the end of 1992, no dowry case had been encountered. From July 17, 1990, out of 112 cases dealt with since the opening of the Centre (on March 7, 1989), dowry was involved in only 8-10 of them.

A similar picture was received from the police: dowry cases as such are relatively rare, although the dowry issue is often a factor. The lawyers agree: it is difficult to give an exact number of dowry cases, and very few are brought before the courts. In the year 1990, the Mahila Vibhag (Women's Department) of the central police station in Pune estimated that they had dealt with 400-500 cases in which dowry seemed to form part of the problem³⁹. But they added that only 306

36. Under the law of 1961 and its later amendments, the girl's family is just as liable to penal sanctions for having given a dowry as that of the boy for having accepted one.

37. Most of the wives do not want to register any complaint against their husband or his family, nor even to testify against them; they say, "What he has done, he has done, but he is my husband. How can I make a complaint against him?" (*tyānnī kāy kele, te kele. Pañ mājhe navrā āhet, na, mag mi tyāncya virudh takrār kase kāy dākhali karū?*)

38. M.G., like many other social workers, estimates that in 95% of the cases dealt with, the major problem is alcoholism on the husband's part.

39. These figures seem high compared with that given by the Inspector in charge in 1991, of 215. All the figures mentioned here were communicated to me orally in the course of conversations with police officers of this section, without any written confirmation.

dowry cases in the strict sense had been registered over the last seven years (1984-1990) and only 448 for the whole of Pune, all stations included. As for reports about dowry deaths, an officer acknowledged that enquiries do not usually get very far, as neighbours called upon as witnesses invariably say the same thing, that is, next to nothing, for fear of getting involved⁴⁰.

So officials in Maharashtra, in Pune in particular, hold a very different point of view from that presented in the media. Although social workers, police and lawyers all agree that at present dowry is widely practised throughout the whole society and in every community, this does not make it the "social evil" decried by the Press. In contrast to the impassioned statements of Indian reformers and legislators, their view seems much more balanced and emphasises the often-disregarded link between actual dowry abuse and conjugal or domestic violence.

40. The police report about a death that is considered suspicious takes the following form: after a brief description of the dead woman (age, address, husband's name, date of marriage, number of children), statements are recorded from neighbours in response to standard questions such as "Did the parents harass their daughter-in law?" which always receives the reply "They did not harass her at all" (*tyānnī tīlā ajibāt nāhī dyāyca*). The medical officer's report, written in English, under the heading "Cause of death" gives : "shock due to burn injuries".

4

SOCIAL IMAGES OF DOWRY

4.1 IN THE URBAN SETTING

How, then, do upper middle class people perceive dowry? Some refer to the *Dharmashastra*, which did not allow a woman the right to inherit any kind of property: hence the compensation represented by her dowry, in the form of movable assets she could take with her to the home of her husband's family. But, they occasionally add, this argument is no longer valid since the various Succession Acts⁴¹ passed in the 1950s. Others consider the Muslim conquest as the primary reason for the dowry: Hindus wanted to "dispose of" their daughters as early as possible, because the parents would be held responsible if the girl were molested during an invasion⁴². As a result the first "marriage markets" arose, with more and more presents being offered to the family of a potential bridegroom, to induce them to conclude the marriage.

41. Laws relating to inheritance, which prescribe an equal share for every heir, whether male or female.

42. This theory was voiced particularly by a Konkanastha Brahmin professor of social sciences.

In general, amongst Pune Brahmins, dowry is believed to be a very ancient custom, which only became a problem around 1955 because of the emergence of the consumer market. They themselves had already stopped practising it, until it became "fashionable" again in the 1960s, after the law to abolish it had been passed. With increased "consumerism", families have begun to demand not only money but items such as a television set, a refrigerator, etc. The Brahmins say that although they themselves had not been practising dowry for almost 35 years, other castes began to do so in the 1960s, in imitation of a Brahmin custom. Today, the practice of dowry is very widespread, mainly because of the growing wealth of agricultural classes and communities (Marathas and "allied" castes) as a result of the sugarcane trade. Very often they add the argument that dowry is an economic compensation for the high cost of the boy's studies, also in Brahmin families - which is in clear contradiction with the no less current idea that dowry is confined exclusively to "uneducated people". This contradiction is related to an interiorisation of the negative public image of dowry, and to the self-censoring this induces. From the opposition between statements from parents - who are directly responsible in the eyes of the law - and those of other family members who are more ready to share confidential information, it becomes apparent that theory and family or individual practice are very often quite different. Although dowry is publicly condemned, it seems nevertheless to be practised even by its detractors. It will be sufficient to report one example, of a Brahmin professor who in the first interview insisted on the imperative need to combat the "scourge of dowry", and who married her son in the following weeks: when listing in public the presents received from the bride's family, she pointed out that the scooter among them was not dowry but a "voluntary gift".

As for those who give dowry, their main justification is that their daughter should lack nothing in her new family, and that her in-laws should not be able to reproach her for having come "empty-handed". Another argument that is presented in economic terms, by both boys' and girls' families, is that since the girl will not work after her marriage, she automatically becomes an economic burden upon her in-laws.

What about the excesses that are often mentioned in connection with dowry? Ill-treatment and moral and physical cruelty directly linked with the custom of dowry are the lot of most wives in north India, according to Maharashtrians; whereas in Maharashtra, they say, dowry abuses occur only amongst Marwaris and Syrian Christians.

All the theories held by Indian intellectuals and reformers can be found amongst these upper middle class people: "sanskritisation" (i.e. imitation of so-

called "higher" castes by "lower" ones); dowry as a compensation for heritage rights; consumerism and the increased wealth of certain communities; or even "rotating fund". Among the lower middle classes, on the other hand, theories seem neither so elaborate, nor so morally condemnatory. There is no rationalisation: people simply say that dowry must be given and taken, and that families with daughters must put themselves in a position to accumulate it well in advance. It is as difficult for the girl's family to conceive of not giving a dowry, as it is for the boy's to imagine not receiving it. Although they acknowledge that the practice of dowry is general throughout Indian society, they do not add the moral condemnation that is common amongst the upper middle classes. This explains some differences in the attitude towards personal practice found among these two sections of the urban population. Among the lower middle classes, dowry is a matter of concern, but nevertheless both girls' and boys' families perceive it as a mark of prestige, regardless of their caste⁴³. So people enumerate at length all the expenses involved. Most often it is the girl's family that will give details of the various customary payments; the boy's family tends to show a certain embarrassment about doing so even when they acknowledge accepting dowry⁴⁴. This too is an indication that the morally negative image of dowry has had some effect. Both in the relative openness of their statements about their personal practice of dowry, and in the spread of this negative perceptions of it, lower middle class urban families resemble the large majority of villagers in Pune District.

4.2 IN THE RURAL SETTING

In the village of K. and its surrounding area, the families do not have the same rationalising theories we found in the town. Despite limitations in communications⁴⁵, the villagers were certainly aware that laws against dowry had been passed, and of the dowry cases reported in the media. Information transmitted

43. Even in cases where dowry is denied, and yet given or taken, everyone knows about it. This is perhaps the most striking feature of dowry; that it is both stigmatised as a "social evil" by public opinion, and yet a source of prestige.

44. A family with both a son and a daughter to marry will tend to prefer not to speak about the dowry they are likely to receive from their son's marriage, but to dwell upon the details of the expenses involved in their daughter's.

45. At K., for example, such information was mainly spread by Patils (local government officials) up to the 1950s. Later it was disseminated via the village Panchayat.

through the Panchayat must have been discussed, just as in other parts of rural India. What Beteille (1965: 2) says about the village of Sripuram (near Thanjavur in Tamil Nadu) in 1965, probably applies here too: "What happens in the State capital and in other urban centres is often discussed with keen interest by the residents of Sripuram". And this most likely applies to the dowry issue too. In addition, many villagers have relatives who have been living in towns for several decades - yet another opportunity to come into contact with the new legal regulations concerning dowry, without however being much affected by the negative theories associated with it. Nowadays in the village all the men - who are the main decision-makers in this matter of marriage prestation - seem to be aware of the existence of the laws relating to dowry.

4.2.1. Dowry: both a social and a family concern

The Jains, amongst whom a custom of *hundā* is acknowledged, consider that it has been practised since a very early date amongst all castes, but to a varying degree in different families. Amongst Brahmins too it is attested "since time immemorial", but only in their own community. The non-Brahmin Hindu castes, on the other hand, are all agreed on the fact that the widespread practice of giving dowry is not much more than fifteen years old. So say Telis, Shimpis, Marathas, Shegar Dhangars, Naw Boddhs (ex-"untouchables"), etc. who began to abandon the giving of *dyāj* about thirty years ago, but did not immediately start to practise a form of *hundā* (cf. above).

For an outside observer it is especially striking that the topic of dowry is "on everyone's lips" today, especially amongst those with daughters of marriageable age. After the first contact is made there very often follows - on their own initiative - a conversation about dowry, from which this appears to be a matter for concern, amongst all castes. Families where the daughters are already married often relate incidents which occurred during the marriage negotiations in which the boy's family refused the proposed match on the grounds of insufficient dowry.

Like all delicate subjects, dowry too is a topic for jokes. In one Teli family, for example, in the course of a conversation in which the husband was asked whether he had received a dowry or not, he replied amid general hilarity - which relieved the tension aroused by the discussion - that he had received not a dowry (*hundā*) but a pot (*handā*) - alluding to the massive corpulence of his wife. The same applies to marriage negotiations, where, listing the things a father must give to his daughter and her husband (*rukhwad*), a woman one day laughingly imitated

the boy's family and said, joining gesture to words, "If you don't give all these things, then take your daughter and go!" (*tumhi sage vasto nahi dile tar tumcyā mulila gheon ja!*). Another example, of a young girl of the Gondhali caste whose father had migrated to Pune about twenty years ago. On a visit to one of her uncles in the village, this girl was recounting with amusement one day, in the presence of her cousin's husband and other family members, that the wife's mother-in-law "gave her a hard time" (*tras deñe*) because although her father was rich he had not given any dowry. As embarrassment became apparent in the group, the girl broke off, explaining that it was nothing, and then became suddenly serious, expressing her own father's concern. He still had three daughters, including herself, to marry, and would have to provide a dowry for each of them. From these and many other examples, all with the same aura of seriousness, it seems that the joking is rarely gratuitous and unfounded. As in this case, it often gives a glimpse of a real cause for worry, a very serious concern, in this case about marriage negotiations, revealing the dimensions the issue has in the minds of those who express it, and its acuteness.

But while dowry is obviously a family concern, it is also a matter concerning society as a whole. For example this young Brahmin man: as soon as negotiations for his marriage were started with another family, people began asking him what had been decided about dowry, how much he would receive, etc. More generally, people exchange whatever little information they have about this or that marriage being arranged and the gifts which will be made to the groom's family. This once more confirms the fact that in India marriage involves two families and their respective relatives, and determines social acceptance (especially of the wife), and the wedding-celebrations are an opportunity for a family to demonstrate or confirm its social and economic standing.

Until recently (i.e. March 1991) families would frequently state openly the customary payments to be exchanged. The father and mother of the bride would stress what they were giving her, the number of guests, the economic situation of the groom's family, and the form of *hunda* they would provide. The groom's family on their part would often readily state what they were going to receive from the family of the bride.

When questioned about why dowry has come to be practised among them, the families of the various non-Brahmin Hindu castes in K. and the surrounding area could only confess ignorance⁴⁶. The unanimous response was "What do I know about it? How could I say?" (*Kay māhit? Mī kase sāngō?*). "Before it was the opposite, now it's the other way around" (*pūrvī ulat hōte, attā ulat ahe*). The rationalisation for dowry most commonly given in the country is, as in town, the girl's well-being. Another reason that was frequently encountered, like in the town, was that of economic compensation for the cost of the boy's education. But unlike the urban setting, where this is perceived as an insincere argument, here it seemed to be an honest attempt to explain. The groom's family rarely hides the fact that they have accepted dowry, and they explain this not in terms of financial compensation but of education. B, for example, of the Teli caste, explains that since people have begun to spend more on education, they are now asking higher dowries. Similarly my main Shegar Dhangar informant told me that parents are spending more on their sons' education, and then ask the bride's family for a retrospective contribution to this expense.

Before about 1970, only just over half the children of K. would attend school (80% of them being boys). It was only from the early 1970s onwards that the children - both boys and girls - started attending school regularly. So the parents also had some expenses for their daughters' education, but less⁴⁷. If this is mentioned, most people do not know what to reply, especially if their daughter-in-law is well educated (a teacher, for example). Some object that if the girl is well-educated, her parents should not have to give so much dowry. In fact, this is rarely the case, especially amongst Marathas. Moreover, not all the boys necessarily go on to further studies. To this, the informants reply, "Since some educated ones (*sūśikṣit*) ask for dowry, the others want it too, they ask 'Why not me?'"

Here is a particularly revealing anecdote about a Maratha lady who married her son in 1992, and received a dowry from the bride's family. When she herself was married some 35 or 40 years earlier, her father had received from her

46. This formulation is not meant in a pejorative sense, but simply records the answers received, including especially the families from whom the information for "marriage tables" was obtained, showing first the practice of *dyāj*, followed a few decades later by a form of *hundā*.

47. Education is supposed to be compulsory and free upto the age of 16 in Maharashtra. But parents still have to pay for educational materials and examination fees. Until about 1987 girls in the village rarely studied further than 6th or 7th standard. So within a family the education expenses would really be more for the sons. But still, the proportion of boys who go on to higher studies is not very high either, even today (about 15%).

husband's father a *dyaj* of Rs. 500 - a large sum for that time⁴⁸. When her son married, she received what she considered to be a *bundā*. The only way she could account for the change that had occurred within her own family was, as for many others, to say "Now it is the other way round", and in the end to refer to the argument about sons' education. When I mentioned the low proportion of boys who went on to do higher studies and the fact that her own son had only passed 10th standard, this lady got annoyed and closed the discussion, saying "So what? Is that a reason why the boy should get nothing? Don't the wedding expenses have to be covered? (*āni mag? he mhanje kāy? mulālā kāy na kō kā? āni lagnācā kharca na kō kā?*) Yet in this particular case, the wedding had been performed at the bride's home and her father had borne most of the expenses!

4.2.2. Changing images of dowry practice

Neither the negative image of dowry, nor the theorising connected with it, seem to have existed in the village until recently. The villagers spoke quite freely about dowry, even from a personal point of view. Shimpis, Kumbhars, Kolis and Telis listed the payments exchanged when their sons and/or daughters were married. But in late 1990 some families withdrew these statements, saying that no dowry had been given or received on these occasions.

For example, the eldest sister in a Teli family began one evening of her own accord to give me full details of the dowries received or given at the successive marriages of her brothers and sisters. In the following months I was able to bring up this topic several times with various members of the family. But shortly after a visit from my main Shegar Dhangar informant, who was a friend of theirs and well-known for his public opposition to dowry, they began to retract what they had said, and to present the information given earlier from another angle (i.e. travelling expenses for the husband's party, share in the wedding expenses, etc.).

Gradually two predominant attitudes towards dowry emerged: one from people who showed awareness of a negative image, and one from others. Both were encountered within the same family, where the husbands seemed more informed than wives, probably because more in contact with the outside world. The same applied to younger generations in comparison to older ones.

48. According to the lady herself, equal to Rs. 50,000 in 1992. This equivalence is obviously very exaggerated. On the basis of actual purchasing power at the respective periods, one might estimate that Rs. 500 in 1955 would represent about Rs. 6,000 in 1992.

One example is a Kumbhar family consisting of two widowed sisters and their brother with his wife and children, including one married son, his wife and their young daughter. One day when the daughter-in-law was present, the two sisters began to talk about dowry. After they had expressed their concern about the future marriage of their niece, I asked them whether their nephew had received anything from his wife's family. They said no. At this the daughter-in-law said indignantly, "He gave Rs. 1,500 and a *tōla* of gold, didn't he? So what is that? It's a dowry, isn't it?" (*dīdhet ū rupaye āgi ek tōla sōne dile, na? Mag kāy 'he? Hundāc 'he, na?*). A heated discussion followed about whether the amount given by her father should be considered a *hundā* or not - from which it emerged that the smallness of the amount explained the sisters' initial negative response⁴⁹. They finally agreed that a *hundā* had been given, but that it was very small.

Shortly afterwards, during a conversation with the husband's father, at which the husband himself was present, along with a family friend, the father said that he had received one and a half *tōla* of gold and how it had been used. He did not say anything about the money. Surprised, I asked whether he hadn't received any. He answered in the negative. As I was writing my notes, the family friend asked him in an aside about the Rs. 1,500 given by the bride's father. The father agreed that it was a *hundā*. Then I asked my question again, mentioning the amount. He acknowledged the fact, laughingly, but added, "Nowadays one shouldn't talk about *hundā* ..."

The practice of dowry is beginning to be viewed negatively, even in the village, among communities where it has been customary for many centuries (Brahmins and Jains) as much as amongst others ("allied to the Marathas") who did not practise it earlier. This is also true of Marathas and Shegar Dhangars, who although they mainly live in scattered hamlets in the countryside around the village, seem to be no less aware of the moral view than people living in the village itself. The same differences in attitudes was found as in the other castes, within families, between men and women and older and younger generations.

49. Unlike the next case, the question of denial did not arise here. Moreover the bride's father had given one and a half *tōla* of gold to the family in question, of which one third had been used for the young woman's marriage necklace, and the remaining two-thirds for a gold chain for her husband. In the course of the argument the daughter-in-law alluded only to one *tōla* of gold being given as *hundā* - so she did not consider the half *tōla* used for her own jewellery as part of the dowry.

The following case illustrates this. In a Maratha double marriage⁵⁰ the maternal uncle of two of the parties, a brother and sister, whose own son was also being married at the same time, had paid for all three weddings, a total expense of Rs. 50, 000 (confirmed by both his brother and sister). When I was speaking to him about an earlier marriage-ritual, I used the word *bandā* (a pot or jar); amid the general confusion he understood *bundā* (dowry), and hastened to deny with unusual energy that he had either received or given any dowry. (But each of the grooms had received a watch "from the girl's family" at the preliminary ceremonies). Later in the day, as he was talking about bearing the expenses of all three marriages alone, I asked sympathetically whether he had received any dowry from the bride's family, for his own son's marriage at least. Again he replied with many negating gestures, "No, no, we haven't taken anything" (*nāhi nāhi, ambi kāy ghete nāhi*). I asked yet again, referring to the considerable expense involved, and yet again he replied in the negative.

The following day, at the wedding, I was chatting with a group of old ladies, one of whom was the paternal grandmother of the brother and sister. Confirmed by other relatives, she explained without the least embarrassment that a dowry had been given to the groom's side for each of the three marriages, and told me exactly what each of them consisted of. And it came out that, of all the three marriages, the father who had received most for his son was the very one who had been so vigorous in his denials!

It is particularly in cases where a person is aware of the laws against dowry and the negative view of it, that he will attempt - regardless of what he says he personally has done about giving or receiving *bundā* - to give reasons for the practice, while insisting on its moral blameworthiness. This practice is "a bad custom" (*kharāb paddhat*), "not good" (*cāngle nāhi*), and people who ask for dowry - whether exorbitant or not - are people who are only interested in money and "throw the girl out afterwards" (*mulilā tākūn detat*) or beat her (*tilā mārtat*). This view no longer relates to the everyday cause for worry involved in putting together a dowry, but is a real moral standpoint. If this negative and morally-coloured image of dowry is relatively new to the countryside, who has diffused or is diffusing this message? Is the fact that the villagers, especially the men, are informed about what goes on "in town", sufficient to account for the present diffusion of this image at

50. As an outcome of social reform movements, collective marriages are becoming more and more common in Maharashtra, with several weddings being celebrated at the same time. This recent development is becoming increasingly widespread in the countryside amongst all castes; among Marathas it often involves two or three weddings of members of the same family.

K. even in the absence of any other means of transmission⁵¹? Leading figures who occupy an important social position⁵², seem to have introduced the "urban" view of dowry into the countryside. At K. the Sarpanch is one of these figures, along with those titled "Panch" - the elders of each caste who are consulted in cases of conflict. Some of these influential people are preaching the abandonment of dowry-practice and disseminating the negative view of it, not only privately but also at public gatherings, especially group weddings. My main Shegar Dhangar informant, who also said he had spoken about the laws against dowry with friends in Shirur (the Taluk headquarters) is considered one of the wisest, most respectable and respected residents of the village. He is therefore often called upon to speak at public gatherings, and he rarely fails to introduce some allusion to the negative character of dowry-practice. Similarly the Sarpanch, although the practice is acknowledged to be very ancient in his caste (Gujarati Jain), nevertheless also propagates the official doctrine condemning it.

Actual practice is still more readily admitted and easier to observe in the rural areas. The morally negative image of dowry, and abuses in its practice, still seem to be practically unknown in the K. area. But this image may gain ground there in the near future. In some villages in taluks neighbouring Pune, where social activists have made some recruits, local women have already started to protest against dowry practice⁵³. In March 1990 at Paud, a small village near Pune in Mulshi Taluk, at a gathering organised to celebrate International Women's Day, several hundred women from surrounding taluks marched in procession, chanting slogans such as *hundā bandī jhālic pāhije* ("Dowry must be dropped"), and one of the speeches which followed dealt with the dowry issue.

51. Mendras and Forsé (1983) have shown how, in certain social groups in France, locally respected figures have played a transmitting role in the acceptance of new technologies.

52. Here social position is linked with caste ("higher", dominant, etc.), socio-economic status (rich landowner, merchant, etc.), and personal charisma (also a matter of authority and/or education).

53. It may seem strange at first sight that it is women who are most active in this matter, although they have less contact with the outside world and less authority in deciding matrimonial affairs. But women are also the "pillars" of tradition and of family-life, and this explains why the activists (also mainly women) have targeted them as "transmitters" to combat the practice in rural areas.

CONCLUSION

Although social workers have a much subtler view than that of the reformers and intellectuals as presented in the media, the social image of dowry that exists in the town and has recently begun to spread to rural areas is quite negative, despite - or alongside - the general spread of the practice. How should we understand this apparent contradiction, and the negative view that reformers and intellectuals take of dowry?

To start with, in this locality, the *gift of a virgin* was surprisingly matched by a *dyāj* or brideprice, up to the 1960s and 70s. Originally, *dyāj* was an aristocratic custom. And royalty, as a model, has lost ground considerably in the course of the 20th century: nowadays the little local rulers have disappeared from the social and political scene, so that this model no longer serves as a point of reference in this part of Maharashtra. Until about 1960 each village used to be administered by two Patils (village headmen). So at that time, authority was vested in men who inherited it through their dominant positions: Brahmins, Shegar Dhangars and Marathas in the political field, and Brahmins in the religious domain⁵⁴. From the 1960s onwards, the Patils and members of a Panchayat were elected on democratic lines, and this had the effect of somewhat delinking political authority from the interests of locally dominant people.

At the same time the communications network was developing (roads, radio, television, press) and this gave the villagers a greater contact with the town. At this time too the farmers began to benefit from government aid for irrigation, the

54. On this topic, see the discussion of the respective roles of Brahmin and ruler in Dumont (1966a) and Hocart (1976). Similarly Pocock (1960) shows the ruler as the holder of political power and upholder of social order. Compared with these models, it is unusual that at K. one of the two hereditary positions of Patil was held by a Brahmin family, which was also in charge of the temple of the village's tutelary goddess, Yemai.

wealthier ones being favoured. The traditional interdependencies between castes became correspondingly weakened, and in the process traditional patterns of remuneration in kind for services gave way to monetary payments. In this respect the villages of Maharashtra were in no way exceptional. The same types of change were taking place in a similar way all over the rest of rural India. Similarly, over the last decades, the whole country has been undergoing a process of modernisation⁵⁵ which has been accompanied by democratic measures (access to universal education, new employment opportunities, etc.). These processes have brought into question the hierarchical principle that used to be characteristic of Indian society⁵⁶. Where marriage was concerned, this principle was expressed in the *gift of a virgin*, sign of an asymmetrical orientation in favour of males, and accompanied by a set of customary payments. It might be supposed that one reaction to this material and ideological modernisation was an insistence on an Indian "identity" - no longer based on lost local or regional models (which were aristocratic), but a "pan-Indian" one, relating to the Brahminic ideal of values. Considering the central importance of marriage in Indian society, this would explain the abandonment of a practice that is seen as out of accord with that ideal - the custom of *dyāj* or brideprice - and the adoption of a form of dowry, which is in conformity with it. This is not merely a question of "selling a daughter" or of "buying a husband", but of affirming a status and signalling an orientation that is censured by democratic and individualistic values. At the national level, it is not very important which model is followed (aristocratic or brahminic). What is significant, is that Indian society still seems to feel a need to respond to challenges to its traditional orientation.

Now, what is the meaning of the fact that a law against dowry was passed just at the time when these social changes were taking place (1961)? What were the legislators aiming at, in attempting to abolish this practice⁵⁷? For if dowry - or some customary payment considered as such - is universally practised, why is it accompanied by so much moral condemnation in modern Indian society? Some form of customary gift accompanying the bride has always been given in India. In

55. Involving industrialisation, availability of consumer goods, and access to new technologies.

56. There have of course been certain religious movements in India which were opposed to the hierarchical principle; but the clash between these two value-systems has never before been so general as it is in Indian society today.

57. We might also wonder whether the media campaign which preceded the passing of this law perhaps contributed some "popularity" - without of course originating the practice - to the very phenomena of spreading dowry-practice that it intended to limit.

Maharashtra this is called *rukhwad*. In one sense, this is also a dowry. When the non-Brahmin Hindu communities speak of *hunda* they are not referring to *rukhwad*, which was also given in the times of *dyāj*, but to the practice that has arisen recently of giving a piece of jewellery and/or money to the bridegroom. The word dowry (*hunda*) is open to varying interpretations, and the legislators have not succeeded in resolving this ambiguity. But was that what they wanted to do? What they seem to have seen as the problem were excesses connected with dowry, as their various pronouncements show (see above). Since these are reprehensible, dowry, in whatever form, is also considered reprehensible and must be prohibited. This ethical dimension given to the definition of dowry explains why it is perceived as a "social evil" and the uneasiness in public opinion about this widespread practice.

But then the reformers and legislators seem to be forgetting that dowry "excesses" must also be seen from the standpoint of conjugal and inter-family violence, which in turn is closely linked with the fundamentally unequal status of men and women in Indian society. Neither violence within the family, nor this unequal status, are new. What does seem to be new, on the other hand, is a growing awareness of the effects of this violence - crystallised in "dowry cases" - through the work of missionaries and other 19th century reformers under the influence of humanitarian, egalitarian and democratic values. When present-day Indian legislators condemn dowry, they are in fact only disseminating an "external" notion, which was assimilated under British rule - one indication of this is the way in which the example of Ram Mohan Roy and his campaign against *sati* is cited to justify the possibility of eradicating the practice of dowry -. In the same way, when public opinion endorses a moral condemnation of dowry - disregarding immediate realities which do not correspond to that negative image - it is simply reproducing this concept of the reformers and legislators which it has assimilated in its turn. In fact we may ask whether, when denouncing the practice of dowry so vehemently, Indian reformers and legislators are not in fact simply highlighting the difficulty experienced by any society in dealing with concepts and principles (here hierarchic versus democratic and egalitarian) that are alien to each other and mutually contradictory.

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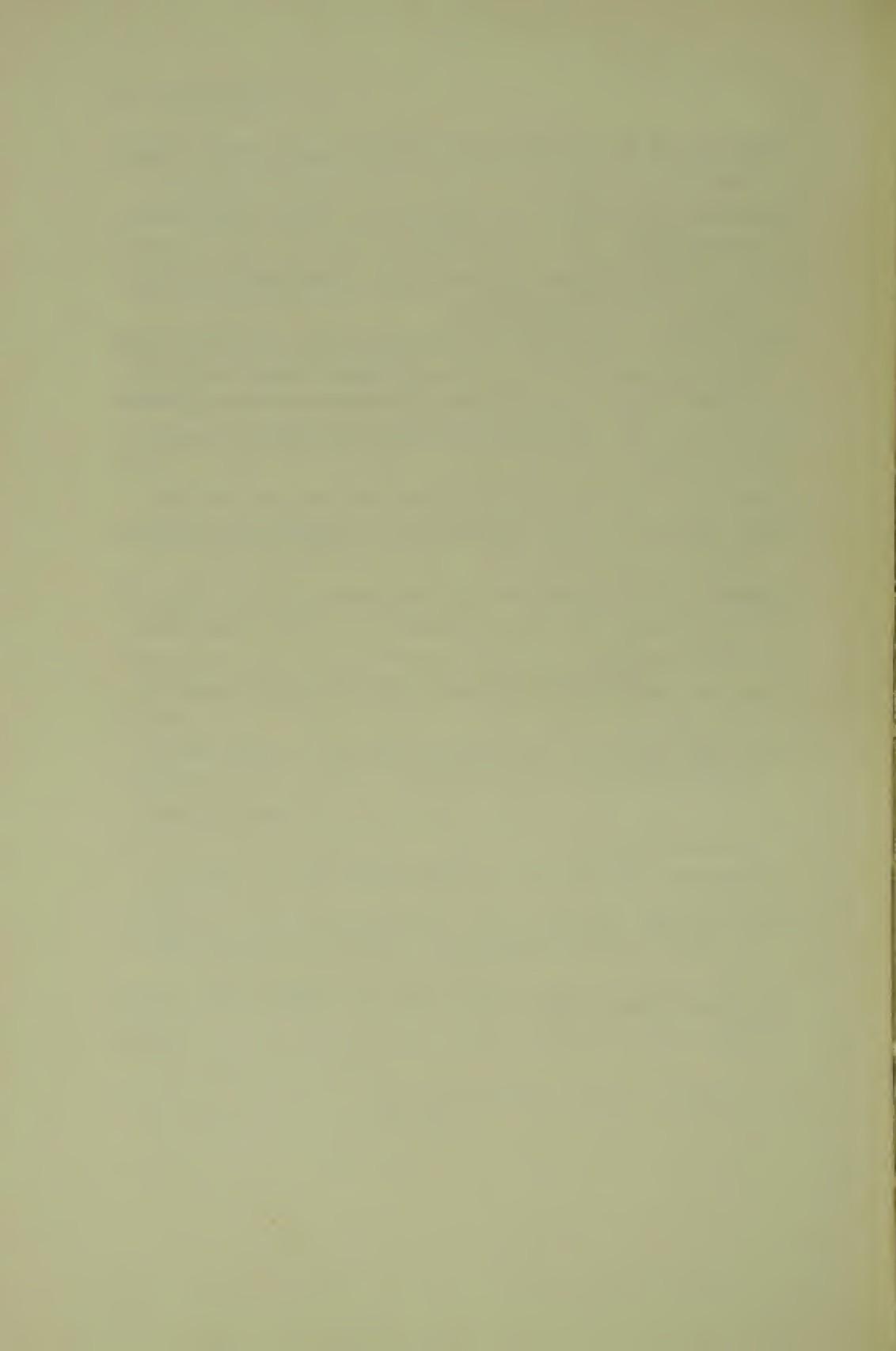
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Appendix 1

THE MARATHI KINSHIP SYSTEM

Although the Marathi kinship system is strongly influenced by south Indian systems⁵⁸, it is also quite unique in many regards, in that it combines in an original way features from both north and south India, even within a single generation (i.e. Go). While many kinship terms can be understood in terms of the preferential marriage, it is nevertheless difficult to distinguish a complete classificatory kinship system. Tamil terminology, which is associated with bilateral marriage (i.e. with a female cross-cousin on either the father's or the mother's side) does not use the same terms for blood-relatives and relatives by marriage, unlike "Indo-Aryan" terminology (Trautmann *ibid.*: 24). Since Marathi kinship vocabulary follows north Indian usage in this respect, we must first examine the general kinship terms, and then turn to those which refer to the relationships resulting from a particular marriage.

58. Karve (1968a; 1968b:161-63), Carter (1974), Trautmann (1981); the latter even speaks of the "Dravidian structure" of Marathi kinship. See also Dumont (1954), Mayer (1960), Parry (1979) and Jamous (1991) on respectively, South India, Central India, Kangra and Mewat.

1. GENERAL KINSHIP TERMS

In Maharashtra, as in South India, kinship is defined in a limited way. In the generation G-2 the only relations named are the parents' respective father and mother (cf. fig. 1). It should be noted that the terms used to designate both maternal and paternal grandparents are the same: *ajōba* (grandfather) and *aji* (grandmother). As a result, unlike current practice in north India (see for example the Meo terminology studied by R. Jamous (1991), but similarly to south Indian kinship (see Trautmann [1981])), from the point of view of 'ego', no distinction is made between *wife-givers* and *takers* in the grandparents' generation.

In G-1, apart from ego's own mother and father, the relations named are mainly their siblings: father's sister *attyā* (or *māwlaṇ*), father's brother *cultā* (or *kākā*), mother's sister *māwśī*, and mother's brother, *māmā*. The spouses of these do not receive the same terminological treatment: usually only those of the father's brother and mother's brother are named, as *cultī* and *māmī* respectively. The two others, the husbands of the father's and mother's sisters, are rarely named in practice, although a "standard" term does exist for each of them. The husband of the father's sister, who is the brother-in-law of ego's father, is considered as ego's *māmā*, whereas his mother's sister's husband is considered a *kākā* (i.e. like a paternal blood-relation)⁵⁹.

The *attyā* / *māmā* opposition is clear, and signals something of a Dravidian structure. And, although distinguishing the father's brother and his wife as *cultā* / *ī* or *kākā/ī* is an "Indo-Aryan" feature, the shared denomination for the father's brother and the husband of the mother's sister is characteristic of the "Dravidian semantic structure" (Trautmann 1981: 115). These relatives, as in Dravidian kinship, are classified as blood-relations.

In ego's own generation, his brother will be called *bhāū* and his sister *bahiṇ*, while his cousins will be named in terms of the relationship established in the previous generation. So the sons and daughters of the *cultā* (father's brother) will be *culatbhāū* and *culatbahiṇ* respectively; those of his *attyā* will be *ātebhāū* and *ātebahiṇ*; those of his *māwśī* are *māwasbhāū* and *māwasbahiṇ* and those of his *māmā* are *māmebhāū* and *māmebahiṇ*. Compared with the preceding generation it is noteworthy that here we find a typical feature of north Indian kinship, where all cousins, parallel or crossed, are considered brothers and sisters, although with a

59. The "standard" term for designating this relative is *māwsā*, but this is very rarely used, the common usage being a periphrasis such as "*māwśī*'s husband".

qualification. Moreover ego considers the sons of his father's sister and his mother's brother as "brother", which in itself gives a strong impression that in this generation we are outside South Indian influence. But this influence reappears almost immediately, when we discover that ego will refer to his *māma*'s son by the term *mehōṇa*⁶⁰ relating to the marriage with the cross (female) cousin on the mother's side which is preferred in Maharashtra. So there is a kind of interplay between the north and south Indian kinship systems, and even a close interweaving of them, with a southern distinction prevailing in G-1, apparently replaced in the next generation by a typically northern feature, but remaining latent.

In generation G₊₁, ego will call his son *mulgā* and his daughter *mulgī*. The offspring of his brothers will be addressed differently, according to whether ego is male or female. In fact, theoretically, only a man will distinguish between the children of his brother and those of his sister: the first are his *putnyā* (nephew) and *putni* (niece), whereas the latter are *bhācā* (nephew) and *bhācī* (niece) (cf. figs. 2a and 2b). A woman is supposed to consider not only her sister's children but also those of her brother as *bhācā* and *bhācī*. Some sense of "distance" seems to be involved here. According to my informants, the terms *bhācā/ī* and *putnyā/ī* have something to do with the "nearness" or "closeness" of the relationship. *Putnyā* connotes a "close" relationship, referring to a man's brother's children - who belong to the same lineage. The man's sister's children, on the other hand, are more "distant", in the sense that they belong to a different lineage, because the sister is assimilated into the lineage of her husband's family. Similarly a woman will consider all her siblings' children, whether those of her brother or her sister, as "distant". Many female informants however, (i.e. Telis, Marathas, Shimpis, Shegar Dhangars, etc.) said that in fact a woman will often consider her sister's children as her own, calling them *mulgā/ī*.

60. We shall examine this term further on, because it is a term for in-laws. Here it is not clear whether ego refers to him in this way only if he marries his cross (female) cousin on the mother's side (which would be a north Indian usage), or whether he always does it, since answers about this varied considerably from informant to informant.

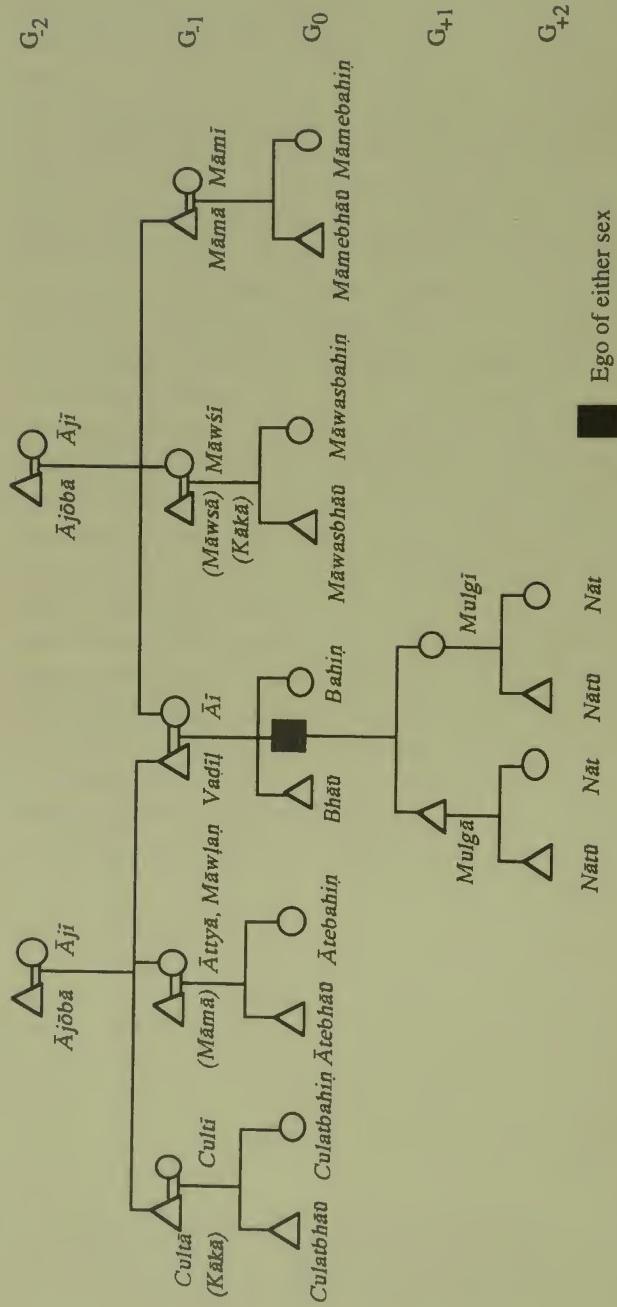
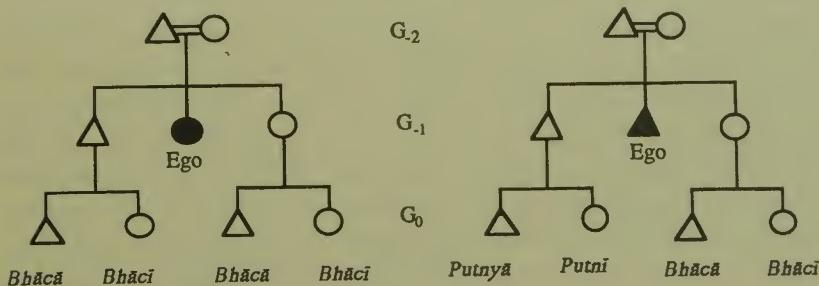


fig. 1. General kinship terms

On the other hand, according to the terminology established by A.T. Carter (1973), a woman will always call her sister's children *mulga* or *mulgi*, and only refer to her brother's children as *bhāca* or *bhāci*. Here this author indicates a rule, which in the area I studied seems to be only a possibility. The absolute resemblance with south Indian kinship practice - in which siblings' children are classified according to the sibling's sex - which Carter and Trautmann (*ibid.*: 103, 118-19) find here - is considerably lessened by this. In any case, the distinction made between nephews by these authors is of a different kind: in the south a distinction is made between sons or daughters and (virtual) sons and daughters-in-law, which has nothing to do with the northern concept of "closer" and "more distant".

Finally, in generation G_{+2} , the children of both son and daughter are named in the same way, *nāt* for a granddaughter and *nātā* for a grandson. According to I. Karve (1968: 178-79), there are additional terms for direct forebearers in generations G_{-3} and G_{-4} , and for descendants in G_{+3} and G_{+4} . In practice however relatives are not named more than two generations from ego. I myself have only heard the term *pānti* (great granddaughter) and only on a few occasions.



figs 2a and 2b. Siblings' children for a male and a female

2. AFFINAL KINSHIP

Affinal kinship involves only the in-laws of a particular alliance. Beyond a person's own generation the only ones named are the direct in-laws in the adjacent generations (i.e. G_{-1} and G_{+1}). These relatives are designated in the same way by a man or a woman. In G_{-1} the parents-in-law, the spouse's father and mother, are called *sāsare* (father-in-law) and *sāsū* (mother-in-law), by both a man and a woman (cf. figs 3a and b). There is no special form of address for these relatives. Here too, the distinction made between spouse's relative and blood-relatives by specific terms

(*sāsare* / *sāsū*) "borrows" not only a feature but also a word from the "Indo-Aryan" terminology (Trautmann *ibid.*: 115)⁶¹. In G₊₁ the son-in-law is referred to as *jāwai* and the daughter-in-law as *sūn*, also regardless of the sex of the speaker.

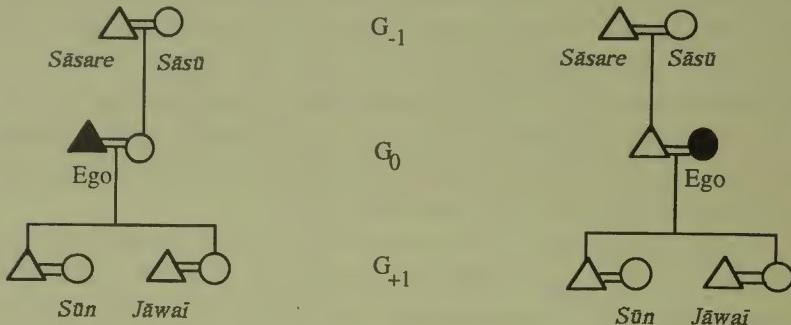


fig. 3a and 3b. Affinal kinship - general terms

Although many terms do not depend on the speaker's sex, others are used specifically by a man or a woman. In G₀, while a brother's wife is always a *bhāujāī* (literally: brother's wife), just as a sister's husband is a *mehūṇā*, for both men and women⁶², only a man will also call his spouse's brother by this same term, *mehūṇā*, while a woman would call him *dīr*⁶³. It is noteworthy that the term *mehūṇā*, from a male speaker's point of view, is reciprocal: that is, a wife's brother and a sister's husband are *mehūṇā* to each other. This is a direct outcome of the preferential marriage context: the reciprocity of this term recalls a "purely" isogamic setting, since *wife-takers* and *wife-givers* are equal, and is in this respect reminiscent of south Indian kinship terminology. Moreover these two relatives are often associated in the same ritual role (notably in the course of one of the rites welcoming the couple into the conjugal family after the wedding). The term *mehūṇā*, in accord with what has been said above, is also applied to a man's *māmebhāū*, that is his cross (male) cousin on his mother's side, who is therefore

61. "Again, to distinguish spouse's parents from consanguines as *sāsara*, *sāsū* is an Indo-Aryan trait; when they are assimilated to MB and FS as *māma(ji)*, *māmi*; *māvaʃa* or *māvaʃana*, *māvaʃni*, the structure must be Dravidian" (*ibid.*).

62. Carter (1974: 35) says that only a man calls his brother's wife *bhāujāī*, a woman would use the term *mehūṇi*. But in the area I studied the term *bhāujāī* is used in the same way as in North India (see for example R. Jamous [1991: 67]).

63. In this case Carter's information (*ibid.*) is identical.

the brother of his potential wife in terms of the Maharashtrian preferential marriage⁶⁴.



fig. 4a. Men's terms for affines of the same generation

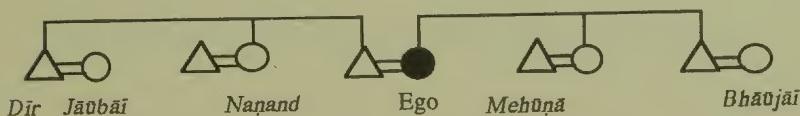


fig. 4b. Women's terms for affines of the same generation

This interplay or "balancing" of two different types of kinship system, north and south Indian, from one generation to another and even within a single generation (G_0), and the close intermingling of their respective characteristics, is the main distinguishing feature of the Marathi kinship system. And this, despite the fact that its structure is more strongly marked by southern kinship features, prevents us from concluding, as Trautmann does, that the northern element is no more than an influence⁶⁵. In our opinion, it is precisely here that is to be found the "convergence" of the two systems (north and south Indian) that Trautmann was searching for (*ibid.*: 103) and which he refused to acknowledge in the Marathi terminology established by Carter (*ibid.*: 106)⁶⁶.

64. We could not account for this usage strictly in terms of the logic of the Dravidian system. In contrast to the Dravidian system of classification, this relative is considered primarily as a brother, just like in northern terminology.

65. Trautmann seems to minimise north Indian influence on Marathi terminology by qualifying it as "semantic", and thus robbing it of significance ("Indo-Aryan semantic influence has acted to distinguish some purely affinal relations within the essentially Dravidian categories of this Marathi terminology" *ibid.*: 120). But here we are faced with much more than a mere semantic influence, for the relationships between the various relatives, from the standpoint of the possibilities and practices of marriage (rituals and customary payments) also reveal the same intermingling of northern and southern systems.

66. The differences pointed out here between Carter's terminology and the terms encountered in the area I studied may be responsible for this. Where Carter had elements which indicate that Marathi kinship is based on south Indian kinship, my observations sometimes indicate the opposite.

APPENDIX 2

MARRIAGE RULES IN MAHARASHTRA

Unlike North India, and as in the South, in Maharashtra there are no prohibitive rules relating to marriage, but a preferred type of marriage "with the cross (female) cousin on the mother's side". But unlike in the south, and despite the fact that some authors speak of other possibilities at their own periods, varying according to caste⁶⁷, marriage with the cross (female) cousin on the father's side is not allowed.

1. *DEVAK* EXOGAMY

The other characteristic trait of marriage in Maharashtra is *devak* exogamy. In all the non-Brahmin Hindu castes the exogamic principle is regulated not by the *gotra* (lineage) system, but by that of *devak*⁶⁸. (For castes native to Maharashtra, *gotra* has been found only amongst Brahmins). The *devak* is always a material object. It may be a tree, a bird, or an artefact. Among the families in K. it is often a plant, an axe, or some object relating to the hereditary occupation of the family,

67. See for example Enthoven (1922 a & b) and Karve (1961 and 1968b) who also recognise the occurrence of marriage with the cross (female) cousin on the father's side, the parallel cousin on the mother's side, with the mother's brother, and with a brother's widow. The two authors differ widely however on each of these types of marriage.

68. The existence of *devak* is mentioned by both Enthoven and Karve (*ibid.*).

such as a pair of scissors among Shimpis. The *devak* delimits a unilinear exogamic unit. A family (in the sense of a segment of an exogamic lineage) possesses at least one, and usually between two and four. These are worshipped only during a wedding, a little before the actual wedding ceremonies proper, and separately in the homes of the bride and the groom. If two families have different names (*adnāw*) yet share the same *devak*, no marriage alliance between them is possible. So in reality, only *devak* exogamy counts⁶⁹. This means that village exogamy is not required, and when it takes place it does so as a consequence of *devak* exogamy and not because it is necessary in itself. The best evidence for this is the relative frequency with which young women are married in their own native village, among Marathas and Shegar Dhangars as well as for example Telis.

2. MARRIAGE WITH THE FEMALE MATRILATERAL CROSS COUSIN : A PERSISTENT PREFERENCE

Marriage with the female matrilateral cross cousin (in the first degree) has been observed all over Maharashtra (Enthoven 1922 a & b; Karve 1961 & 1968; Orenstein 1965), and is encountered in all Hindu castes, including Brahmins but excluding the Jain communities⁷⁰. This marriage practice is not confined to Hindus, for it is also found among Muslims, at least the Momins, who were traditionally weavers.

Although it is not obligatory, all the castes mentioned above still frequently practise this preferred form of marriage with the cousin on the mother's side. Moreover this type of marriage is still so much in the minds of people in Maharashtra that it may sometimes become a constraint. For when this type of

69. At K. among certain castes, such as Shimpis and Telis, a different family name is required in addition, for marriage with another family to be possible. Among the Marathas and Shegar Dhangars, on the other hand, *devak* exogamy is the only prerequisite, as Karve confirms (1968b:162).

70. The ritual of *kāśīlā Jane* (literally "going to Benares") which is practiced by Deshasta Brahmins, highlights this preference. This takes place before the wedding, once the date for it has been fixed, at the home of the groom, who, along with his *māmā*, is the main figure in it. The rite consists essentially of a representation of renunciation on the part of the future husband. After making offerings to the fire, he declares that he is renouncing marriage, and pretends to set off for Benares to lead the life of a sannyasi (renunciant), his umbrella under his arm. Then his *māmā* intervenes and says "*nāhi, mī tulā mājhī mulgī detō*" (No, I shall give you my daughter). The fact that it is the boy's maternal uncle who offers his daughter as a bride makes very clear the existence of this preferential marriage in Maharashtrian Brahmin tradition.

union is possible (i.e. a brother and a sister have a daughter and a son respectively of marriageable age, with the boy older than the girl) it is supposed to be carried out. If not, family quarrels may result which last years⁷¹. H. Orenstein (1965: 59) also mentions a similar case, encountered 30 years earlier in another part of Maharashtra, when a sister, who had married into a certain family X, protested to her brother, "Now you don't want to give your daughter here [into this family]? Why?" This leads us to a reassessment of the current anthropological formula "marriage with the female matrilateral cross cousin", which seems not quite appropriate in the Maharashtrian context.

3. MARRIAGE 'WITH THE MATRILATERAL CROSS-COUSIN': AN INADEQUATE FORMULATION

First of all, this formulation suggests that there is an exchange of wives between two men (brothers or fathers) as anthropological tradition has normally perceived it. But the reality and local tradition in Maharashtra suggest that it is rather a union between the children - of opposite sex to the parent in question - of a brother and a sister: that is, a brother gives his daughter to his sister for her son.

This becomes apparent in many contexts, one of the more eloquent being when the sister goes to claim her brother's daughter to marry her son. Traditionally, when the sister came to ask her brother for his daughter, she would sit on the threshold of the house, or more precisely on the lower ledge of the wooden frame of the main door⁷². It is also said that if the brother refused, his sister would tweak his ear until he agreed. It could also be not the sister, but the brother who would come to her home, bearing this request on behalf of his own daughter. In this case he might threaten not to move until his request was granted. Although these customs are no longer in use, they are still such vivid popular images that they are immediately evoked if anyone sits on the threshold of the house.

71. This happened in a family from K. when the youngest son, a teacher, contrary to the expectations of his maternal uncle, married another girl (also a teacher) who was better educated than his cousin. The *māma* in question quarreled with his sister when this marriage occurred, and it was only five years later, at the second marriage of another of her sons (who was widowed), that the brother and sister met and spoke to each other again.

72. The threshhold of the house is generally considered a spot that is highly charged with many different connotations, and people usually avoid sitting on it, except in exceptional cases, like the one described here.

Many other customs are still in use which not only refer to this type of marriage, but also and especially to the idea of the *marriage between the children - of opposite sex to the parent in question - of a brother and sister*. Apart from rituals that form part of the wedding itself, in which the father's sister and the mother's brother play major ritual roles in the union with the husband's family, this applies especially to those performed after the wedding, when the newly-married couple enter the groom's home, immediately following the *vārāt*, during which the musicians who have accompanied the young man on his wedding journey play, dance and process around the groom's home and in the surrounding hamlet. Then the couple enter the house of the groom's family. Among the main rituals of welcome which will be performed then is the *dār adawne* or *holding the door*. The main figures in the *dār adawne* are the married couple and the groom's sister: when the couple are about to step over the threshold of the house, the groom's sister will hold onto the door, preventing them from entering, and ask her brother to promise that if his wife gives birth to a daughter, he will give it to her for her son. The bride is then supposed to answer that if they have one, they will give it to her ("*hōīn āmhalā tevhāñ deū tumhālā*"). Here the ritual performed by the sister refers to the preferential marriage to come.

The mark of this type of union is also very perceptible in the Marathi language, where it is expressed as "with the daughter of the *māmā*", or as one in which the daughter is "given to her *ātyā*" (father's sister). People will say that so and so has married his *māmā*'s daughter ("*tyāñi māmācī mulgī keli*" - the verb used here is "make"), or that this girl has been given to her paternal aunt - that is, the latter is her mother-in-law ("*tī mulgī ticyā ātyālā dileli āhe, mhanje tici sasū tici ātyā āhe*").

So it would be preferable, as far as possible, to use the expression "marriage between the children - of opposite sex to the parent in question - of a brother and sister". Although this formulation is inconveniently long, it has the advantage of corresponding more closely to the present context. It also emphasises the importance of the brother-sister relationship in India, which has been brought out especially clearly in Mewat (among the Meos) by Raymond Jamous (1991).

SUMMARY

Since the beginning of the century Indian legislators and intellectuals have been discussing the dowry issue. This custom, regardless of ritual or religious context, is said to give rise to many abuses, and seems to be widespread throughout the country. This standpoint has been widely disseminated to the public through the media.

In a particular context - marriage practices in one District of Maharashtra - this article investigates the practice of "brideprice" and its transformation. Various current theories accounting for the two practices of brideprice and dowry in India are examined. It is noted that "brideprice" has been abandoned and replaced by a practice resembling dowry. The concept of dowry held by officials (social workers, police and lawyers) modifies the negative image disseminated by the media and gives a more accurate picture of the problems this matter may raise, particularly in association with conjugal or interfamily violence. But compared with this perception, the social image of dowry in people's minds, which exists alongside the spread of the practice, is marked by a morally negative view both in town and - more recently - in the countryside.

RÉSUMÉ

Depuis le début du siècle, les législateurs et intellectuels indiens ne cessent de débattre de la question de la dot. Cette prestation, indépendante de tout contexte rituel et religieux, donnerait lieu à de multiples abus et atrocités et se serait généralisée à l'ensemble du pays. Ce point de vue a largement été retransmis par les *media* dans l'opinion publique.

Dans un contexte défini – les pratiques de mariage dans un District du Maharashtra –, il s'agit d'étudier d'une part la pratique du *prix de la fiancée* et son évolution. On s'interroge sur les différentes théories couramment émises pour rendre compte en Inde des deux pratiques. On constate en outre un abandon de ce *prix de la fiancée* et son remplacement par une pratique assimilée à une *dot*. D'autre part, la conception qu'ont de la dot les officiels (travailleurs sociaux, police et avocats) permet de relativiser l'image négative véhiculée par les *media*. Elle donne une mesure plus précise des problèmes que peut susciter cette question, notamment par rapport à la notion de violence conjugale/domestique. Mais, parallèlement à l'expansion de la pratique, les représentations sociales de la dot parmi la population sont marquées par un discours moral négatif en milieu urbain comme – depuis peu – rural.

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